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Wednesday, 23 February 2005, 10 a.m.
New York

President:	Mr. Biaou	(Benin)
Members:	Algeria	Mr. Benmehidi
	Argentina	Mr. Mayoral
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	Denmark	Ms. Løj
	France	Mr. Wiltzer
	Greece	Mr. Vassilakis
	Japan	Mr. Onodera
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Rogachev
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Ms. Migiro
	United States of America	Mr. Holliday

Agenda

Children and armed conflict

Report of the Secretary-General on children and armed conflict (S/2005/72)

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05-24668 (E)

The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

Children and armed conflict

Report of the Secretary-General on children and armed conflict (S/2005/72)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Canada, Gabon, Guinea, Iceland, India, Iraq, Liechtenstein, Luxembourg, Myanmar, Nigeria, Norway, Senegal, Sri Lanka and Uganda, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict.

There being no objection it is so decided.

I invite Mr. Otunnu to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Rima Salah, Deputy Executive Director of the United Nations Children's Fund.

There being no objection, it is so decided.

I invite Ms. Salah to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Ibrahima Diouf, Special Adviser on Child Protection to the Executive Secretary of the Economic Community of West African States.

It is so decided.

I invite Mr. Diouf to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations. Members of the Council have before them the report of the Secretary-General on children and armed conflict, document S/2005/72.

I now give the floor to the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu.

Mr. Otunnu: I thank you, Mr. Minister, for convening this meeting of the Security Council, a meeting devoted to taking action to ensure the protection of children exposed to armed conflict. I have had the opportunity to witness — particularly in the context of the Economic Community of West African States (ECOWAS), here at the United Nations and at the African Union — the concern of the Government of Benin and your personal leadership on this issue. Your presence here today testifies to that engagement and leadership. We are grateful.

I warmly welcome in our midst Ms. Asha-Rose Migiro, Minister for Community Development, Gender and Children of Tanzania. We are delighted that she is here with us today.

I am very grateful to Ambassador Jean-Marc de La Sablière and the rest of the French delegation for their continued stewardship of this issue in the Council. I thank them for their steadfast commitment.

On this occasion, I wish to pay a special tribute to a pioneering leader who is not in our midst today. I refer to Ms. Graça Machel, whose seminal and compelling report, issued in 1996 (A/51/306), laid the

foundation upon which we have been building over these years.

We have come this far in the development of this important agenda because of the important collaboration and contribution of many stakeholders: delegations, United Nations partners, regional organizations and the community of non-governmental organizations. I wish to express particular appreciation to Carol Bellamy and all our other colleagues from the United Nations Children's Fund, represented here today by Rima Salah.

I am pleased to report that, since the adoption of resolution 1539 (2004) last year, the heads of United Nations field teams have become fully seized of their responsibility for follow-up, monitoring of progress and coordination of response on this issue. As a result, the United Nations field teams have been the primary sources of the information contained in the present report.

The United Nations field representatives have informed us of the various constraints they have encountered in fulfilling that responsibility. They include security problems, lack of access and non-cooperation of parties. But the most important constraint has been the absence of an organized and functioning mechanism for monitoring and reporting at the country level.

The Council has before it a report of great consequence. The report is about instituting a serious, formal and structured compliance and enforcement regime to ensure the protection of children who are at present being brutalized in many situations of conflict. The report brings together all the necessary components for the establishment of such a regime. This marks a turning point in our collective campaign for the "era of application": for transforming protective standards into compliance and condemnation into accountability. This is the culmination of several years of a block-by-block building process.

Members of the Council will see that specific, concrete and practical features of the compliance and enforcement regime have been laid out in the report. I draw attention in particular to three features of the report, which together comprise the key components of the compliance and enforcement regime: review of the conduct of parties to conflict, resulting in the systematic naming and listing of offending parties; ensuring accountability for offending parties, particularly through the imposition of concrete and targeted measures; and the establishment of a monitoring and reporting mechanism.

The efforts deployed over the last several years have yielded significant advances and created strong momentum for the protection of conflict-affected children. Those gains include: greatly increased global awareness of and advocacy for child protection; an impressive and comprehensive international body of protection instruments and norms; the protection of war-affected children being firmly placed on the international peace and security agenda; the protection and well-being of children being increasingly reflected in the mandates, training and reports of peacekeeping missions, as well as in the deployment of child protection advisers; children's concerns being incorporated in peace negotiations, peace accords and post-conflict programmes for rehabilitation and rebuilding; and the mainstreaming of this issue taking hold in several institutions and mechanisms, within and outside the United Nations.

I am pleased to report that the overall situation for children has improved considerably in some situations. Those include Afghanistan, Angola, Ethiopia, Eritrea, Liberia, Sierra Leone and Timor-Leste. Clearly a great deal has been achieved in the space of a few years, most of it with the Security Council at the forefront.

But much more remains to be done, because far too many children continue to be brutalized in situations of conflict. Consider the following. Although the overall figure has decreased in the past few years, more than a quarter of a million children continue to be exploited as child soldiers, used variously as combatants, porters, spies and sex slaves. Tens of thousands of girls are being subjected to rape and to other forms of sexual violence, sometimes as a deliberate tool of warfare. Abductions are becoming widespread and brazen, as we have witnessed, for example, in northern Uganda, Nepal and Burundi. Since 2003, more than 11 million children have been displaced within their own countries and some 2.5 million children have been forced to flee their own countries and to become refugees because of conflict. Approximately 800 to 1,000 children are killed or maimed by landmines every month. As the horror of Beslan and other incidents have demonstrated, schools are increasingly being targeted for atrocities and abductions.

Against that background, the present report has reviewed developments in 17 situations of concern, recording systematically the following five grave violations: the killing or maiming of children, the recruitment or use of child soldiers, attacks against schools or hospitals, rape and other grave sexual violence committed against children, and the abduction of children. Altogether, 54 offending parties have been specifically named and listed; they are drawn from 11 situations of concern. All 54 offending parties are responsible for the recruitment and use of child soldiers. In addition, many of them are responsible for committing other grave abuses, as recorded in the lists.

Compared with the lists in the last report (S/2003/1053 and Corr.1 and 2), which was discussed by the Council in January 2004, eight parties have been dropped from the lists because of change of conduct; six offending parties have been added to the lists this year, mainly because of improved information-gathering; and a few parties have been dropped from the lists for lack of verifiable information.

This is the third report received by the Council that systematically documents grave abuses and lists offending parties. The Council has already, on previous occasions, expressed its intention to take concrete and targeted measures against those parties. It is most important that the Council make good on its promise on this occasion; the credibility of this exercise depends on that. The targeted measures should include the imposition of travel restrictions on leaders and their exclusion from any governance structures and amnesty provisions, the imposition of arms embargoes, a ban on military assistance and restriction on the flow of financial resources to the parties concerned.

In the light of the facts, the lists and the trends towards impunity recorded in the three consecutive reports, I would propose and urge that the Council undertake a four-pronged response to end impunity: first, decide to impose concrete and targeted sanctions measures against the offending parties named in the monitoring lists; secondly, constitute a committee of the Council to review and monitor the imposition of specific sanctions measures for the protection of children exposed to conflict; thirdly, demand that the parties on the monitoring lists, working in collaboration with the United Nations field representatives, prepare within six months time-bound action plans to end the grave violations for which they have been named; and fourthly, endorse the monitoring and reporting mechanism with a view to putting it into operation expeditiously.

The purpose of the compliance and enforcement regime is to ensure that the offending parties take heed and that the necessary actions are undertaken to end the violations for which those parties have been named. In that connection, I should like to report that yesterday, I received a letter from Mr. S.P. Tamilselvan, head of the political wing of the Liberation Tigers of Tamil Eelam (LTTE) of Sri Lanka — a party named in this year's report — taking note of their inclusion on the lists and expressing their readiness to enter into dialogue using the framework of the monitoring and reporting mechanism. While I welcome that message from the LTTE, I call on its leadership to embark immediately upon tangible actions leading to a time-bound action plan to end, once and for all, the practices of recruiting, abducting and using children as soldiers. And I urge all other parties named in the report to take immediate concrete steps to demonstrate their commitment to ending their grave violations against children.

I am very sad to report that one of the most disturbing developments in the reporting period has been the allegations of sexual exploitation and abuse by United Nations peacekeeping personnel, both civilian and military, particularly in the Democratic Republic of the Congo. United Nations peacekeepers are warmly welcomed into war-torn communities because they are viewed as a God-sent presence to end impunity and to restore protection and respect for vulnerable and long-suffering populations. I pay tribute to the vast majority of peacekeepers who have carried out their mission with honour and dedication. But the notion that some peacekeepers would use their position to prey on local children and women in this way is a particularly shocking and unacceptable betrayal of trust.

I commend my colleague from the Department of Peacekeeping Operations, Jean-Marie Guehenno, for his swift and transparent response to these developments in the Democratic Republic of the Congo. It is important that we get to the bottom of this issue through a fundamental and comprehensive review. What is the scope of this problem? What are the reasons for the prevalence and level of abuse? What issues must be addressed concerning institutional capacities, the enforcement of existing standards, the investigation of allegations and the multiplicity of jurisdictions?

In order to mount a truly comprehensive and effective response, we need to receive solid answers drawn from an across-the-board review. That must necessarily involve the United Nations Secretariat working hand in hand with countries that contribute military and police peacekeepers. Together, we must move — without any compromise or complacency — to punish the offenders and to root out this practice from all United Nations field presences.

The report before the Council sets out a concrete plan of action for establishing a comprehensive, from-the-ground-up monitoring, reporting and compliance mechanism to provide for the gathering of objective, specific, reliable and timely information — the "who, where and what" — on grave violations being committed against children in situations of conflict. In turn, that information should lead to action and accountability.

The plan identifies the grave violations that should be particularly monitored. It sets out instruments and standards that should constitute the basis for monitoring — the yardsticks for judging the conduct of parties to conflict. It identifies the key bodies that constitute "destinations for action", those responsible for taking concrete measures in response to these grave violations against children, with the Security Council at the forefront.

As we move to put in place a compliance and enforcement regime, it is important to underscore a few pertinent issues. It is crucial to engage in protection dialogue with all parties whose actions have a significant impact on children, without any implications as to their political or juridical status. The only purpose for such dialogue is to ensure protection for and access to vulnerable children.

It should be stressed that the accountability lists do not name States or countries as such. The purpose of the lists is to identify particular parties to conflict, whether Governments or insurgents, that are responsible for specific grave violations against children. In this respect, the names of countries are referred to only in order to indicate the locations or situations where offending parties are committing the grave violations in question.

The monitoring lists name all offending parties, while preserving a clear distinction between parties in situations on the agenda of the Security Council and parties in situations not on the agenda of the Council and other situations of concern. Concrete and targeted measures should aim to bring an end to all grave violations by all listed parties, while preserving the aforementioned distinction.

The idea of drawing up lists of offending parties is, above all, about ensuring accountability. For a party to be listed, therefore, it should be a specific, identifiable and identified entity; it is not sufficient to refer to a broad or non-specific category of actors.

The mention, review or discussion of any particular situation in the monitoring reports should not be construed as a legal determination that there exists a situation of armed conflict within the context of the Geneva Conventions and its Additional Protocols. Our approach has been to focus on ensuring broad and effective protection for children exposed to situations of concern.

A monitoring and reporting mechanism is of limited value unless it leads to action — unless the information compiled can serve as a trigger for action. In this, the Security Council has to lead the way, as the most important "destination for action", because of its primary responsibility for peace and security.

The time has come for the international community to redirect its energies from the normative task of the elaboration of standards to the compliance mission of ensuring their application on the ground. Today, as never before, we have the necessary means — normative, juridical, institutional, and political — to realize the "era of application" for the protection of children exposed to armed conflict.

When the tsunami tragedy struck in Asia, we felt almost entirely helpless in the face of a mighty fury unleashed by the force of nature. Alas, what is recorded in this report before the Council is a human-made catastrophe. This is nothing short of a process of self-destruction, consuming the very children who assure the renewal and future of all our societies. How can we allow this? Unlike the onslaught of the tsunami yesterday, we can do something today to bring to an end this human-made horror, the horror of war being waged against women and children.

In conclusion, as we deliberate today on what measures to take for the protection of children, I return to Bob Marley, whose life and music is being celebrated worldwide this month. I return to his prophetic voice, to his spiritual rendition of the themes

of suffering and redemption for those who are vulnerable and abused. As we debate here, I can hear Bob Marley challenging us, singing:

"Hear the children cryin'
From Beslan to Bar-Lonyo to Bunia
And so we tell them:
'No, children, no cry
Don't worry about a thing,
'Cause everything gonna be all right.'

"Hear the children cryin'
From Mazar-i-Sharif to Jumla to Darfur,
Won't you help sing
'Cause all they ever asked:
Redemption Songs. Redemption Songs.

"Rising up this mornin',
I saw three little birds
Pitch by the doorstep of the Council
Singin' sweet songs
Of melodies pure and true,

Sayin', 'This is our message to you.'

"Hear the children cryin'
From Apartado, to Malisevo, to the Vanni
But I know they cry not in vain
Now the times are changin'
Love has come to bloom again."

And so, the children are waiting. They are waiting for the Redemption Songs from this Council. I know you will not let them down.

The President (*spoke in French*): I now call on Ms. Rima Salah, Deputy Executive Director of the United Nations Children's Fund.

Ms. Salah (*spoke in French*): I would like to congratulate the Special Representative of the Secretary-General, Mr. Olara Otunnu, for the excellent advocacy work he has been doing for several years in order to advance the cause of children in armed conflict.

I would like to begin by telling Council members the story of a young girl named Alison, a child of Sierra Leone. That is not her real name. She is an ordinary girl, 16 years old, and interested in everything that girls of her age throughout the world are interested in — school, sports, boys and the latest fashion. However, since she was kidnapped at the age of 13, she only thinks about one thing: survival. Alison recounts,

"I was forced to walk through the mountains around Freetown, and I was brought to a house where I was shut up for three days. There were many other girls and boys there that had also been kidnapped, and we were all afraid. We did not know what was going to happen to us. A short while later, a group of vehicles took us to the town of Masiaka, where the Revolutionary United Front (RUF) has a lo. of supporters".

Alison worked there as a "housekeeper" for the Commander. She tells us simply that she had to do the cooking, wash dishes and do the laundry and that she had to carry heavy loads for the Commander, but we know the truth. She tried to escape several times but was re-captured each time. The day after one of her escape attempts, to punish her the Commander engraved the letters "RUF" on her chest with a razor blade. It took weeks for her to recover. Since then, she has been released and has tried by all means, including surgery, to make these marks disappear.

Today she has gone back to class, and she enjoys playing basketball with her friends. She says, "I have to study a lot, because I want to be a doctor later on. I think you know why".

(*spoke in English*)

Armed conflict exacts a terrible toll upon children. Caught up in conflicts that have multiple causes and little prospect of early resolution, children's rights continue to be violated. They fall victim to disease and malnutrition and are subjected to forcible displacement and brutal violence. Whether they are drawn in as fighters, deliberately targeted as civilians or forced to become perpetrators of atrocities themselves, it is children who bear the most appalling consequences of armed conflict.

Violence has uprooted more than 20 million children from their homes and deprived them of basic services, including food, shelter and education. Sexual abuse and exploitation, wielded as weapons of war, inflict lasting psychological wounds and contribute directly to the spread of HIV/AIDS. Such horrors etch themselves into young minds, with terrible consequences for children's values, identity and beliefs, and for their ability to function as leaders and decision makers in the future. Yet children remain our greatest hope and our most precious resource in the struggle to rebuild war-affected communities and to promote peace and security over the long term.

We must do more to protect them. As Graça Machel observed in her landmark study of 1996 (A/51/306), our collective failure to protect children must be transformed into an opportunity to confront the problems that cause their suffering. The impact of armed conflict on children is everyone's responsibility, and it must be everyone's concern.

Allow me to express, on behalf of UNICEF, our deep appreciation for the Council's continued commitment to addressing the alarming situation of children in armed conflict. We thank Council members for their continued support, which has ensured that the peace and security agenda includes children affected by armed conflict. Unfortunately, the situation of these children is not improving, a harsh reality that the Secretary-General's report on children and armed conflict (S/2005/72) underscores.

Allow me to provide a snapshot of UNICEF's activities on behalf of children affected by armed conflict around the world. UNICEF provides assistance before, during and after conflict, working to protect and support children, families, communities and Governments. At all times, we work closely with many partners, often at great risk to our dedicated staff.

In Liberia, the back-to-school campaign has enabled more than 600,000 students to return to school, renewing a sense of stability and hope for communities across the country.

In Somalia, amidst continued instability, UNICEF has helped to establish 10 regional child protection networks and has mobilized 80 communities, enabling Somali children to experience an enhanced protective environment.

In Afghanistan and in Nepal, against a backdrop of violence, we continue with our programmes in health, education and, particularly, protection.

And yet, as noted by Mr. Olara Otunnu, despite the best efforts of UNICEF and other local and international humanitarian organizations, children and women continue to face ongoing violations of their rights. The Security Council has the ability to take decisive action to protect children in situations of armed conflict by translating the commitments of international legal and other standards into action.

Several targeted measures recommended in the report of the Secretary-General on children and armed conflict are helpful to the realization of that objective and should be considered by the Council, including: close monitoring of, and reporting on, States' compliance with international standards; holding perpetrators accountable; and a strong focus on the rights of all children, not only during a conflict but also after it ends.

The time has come to subject those who recruit and use child soldiers to the full force of national legal systems and the International Criminal Court. UNICEF is committed, with all of our partners, to ending impunity and to addressing accountability. Our protection mandate and human-rights-based approach to programming demand that we work towards the full protection of children's rights, including monitoring of violations and advocating that those who commit violations be held responsible.

Another way to protect children's rights in conflict areas and to better address accountability is by improving our understanding of the problems facing children and women affected by armed conflict. The development of a systematic mechanism to monitor and report on violations of the rights of children in armed conflict that is linked to response will represent a significant step in that direction. We thank Mr. Olara Otunnu very much for that initiative.

In addition to developing effective monitoring and reporting procedures and an effective system of justice for children, we need to pay specific attention to some of the most hideous crimes confronting children. Sexual violence has often been regarded as a routine part of conflict, but it can no longer be dismissed. We must respond to the crime of sexual violence as a matter of urgency. We need to enhance community-based measures to monitor the situation and needs of the victims, improve their immediate security and provide them with immediate, compassionate and committed support and protection.

We need clear standards of behaviour for all peacekeepers, pre-deployment training on sexual exploitation and abuse and prosecution of perpetrators. I urge the Council to take action to ensure that peacekeeping forces adhere to the rules, monitor and report on sexual violence and are held accountable for their crimes.

We can also protect children by working to stem the flow of small arms and light weapons and by advocating against the use of indiscriminate weapons such as landmines and cluster munitions.

We can further protect children by preventing the recruitment of children in armed forces and by working to secure their release, demobilization, rehabilitation and reintegration. We should seek commitments from parties to refrain from recruiting and using children and should negotiate the release of children who have already been recruited.

In Burundi, through the Child Soldiers National Structure, with the support of UNICEF and other partners, more than 2,000 child soldiers from the Forces armées burundaises and allied civil defence militias were demobilized. The demobilization, reintegration and rehabilitation of child soldiers are crucial to ensure that children are not re-recruited.

(*spoke in French*)

The experience of UNICEF in a large number of countries in conflict has confirmed that there has been significant progress in the protection of children in armed conflict. But, unfortunately, much progress remains to be done. Two actions come immediately to mind. First, we must ensure that justice is done for children whose rights have been violated. In that respect, I would like to repeat the words of the Secretary-General in his statement to the Security Council with regard to the situation in the Sudan.

> "The Commission strongly recommends that the Security Council immediately refer the situation of Darfur to the International Criminal Court, to ensure that those responsible for these heinous crimes are held to account. It is vital that these crimes not be left unpunished." (S/PV.5125, p. 2)

Protecting the rights of children, while at the same time ensuring that justice is done is an essential basis for bringing about and maintaining sustainable peace in conflict and post-conflict situations.

Secondly, UNICEF calls on the Security Council to guarantee that child protection elements be included in all peacekeeping missions and that the protection of children be taken into account in Council debates pertaining to the establishment of new peacekeeping missions, such as in Darfur.

By working together we will be able to guarantee that our responsibility towards children is fully met. Children are far too often victims of war, and it is our duty to protect them. Together, we have already made enormous progress in this area, as Mr. Olara Otunnu has pointed out. I would nevertheless ask the Security Council to remain vigilant and cognizant of the specific needs of children, as well as of the central role they play in the future of humankind. I am certain that, together, we shall be able to build a world fit for children.

The President (*spoke in French*): I now call on Mr. Ibrahima Diouf, Special Adviser on Child Protection to the Executive Secretary of the Economic Community of West African States.

Mr. Diouf (*spoke in French*): At the outset, I would like to convey to the Council the sincere regrets of Mr. Mohamed Ibn Chambas, who was unable to make the trip here today due to severe constraints on his time, as well as to share with the members of the Council our common concerns with regard to ensuring a protective environment for children.

I would also like to express my gratitude for Benin's invitation, as well for its Government's excellent initiative. I say that in particular because Benin is a member of the Economic Community of West African States (ECOWAS) that has already demonstrated its commitment to protecting children, even though it is a country that, thank God, has not yet experienced conflict.

Allow me further to welcome and commend the Council's commitment to issues of peace and security in general and, specifically, to the protection of children, especially those affected by conflict. That commitment is reflected in the Council's adoption of various resolutions, in particular resolutions 1261 (1999), 1314 (2000), 1379 (2001) and 1460 (2003). In accordance with the President's request regarding what he would like us to address today — namely, our thoughts concerning future prospects for the situation of children in Africa — I would like to share with the Council the current experiences of ECOWAS in the field of child protection.

As I begin my statement, I would very much like to thank the Government of Canada, which for years — from the outset — supported ECOWAS in the establishment of its child protection programme, namely, from 2002 to 2004. I would also like to thank UNICEF and its Regional Office for West and Central Africa, which since 2004 has been ensuring the development, operation and organization of the programme.

It should be said that, overall, the situation of children in West Africa is not exactly brilliant. Given the goals set out at the World Summit for Children, the first of its kind, West Africa today is among the regions in which there has not been significant progress in the field of child protection. I therefore fully endorse the comments made by Mr. Olara Otunnu and Ms. Rima Salah with regard to the overall state of children in armed conflict. That is a situation that West Africa shares with other regions of the world experiencing conflict. With the Council's consent, I would like to dwell a bit on the characteristics we have noted in our subregion, in particular with respect to countries that have experienced conflict, namely, Liberia, Sierra Leone, Guinea-Bissau and, more recently, Côte d'Ivoire.

Generally speaking, as we have worked out our programme on the ground, we have realized that children are actually victims of wars in several ways. Children are not merely directly involved in conflicts as combatants; they are sent to the front as soldiers specifically because they are completely unaware of the dangers facing them. Once injured in combat, such children are left to their own devices. Children who find themselves in the midst of conflict must also fend for themselves if their parents are killed of if they are separated from them. We have seen that phenomenon in Liberia, Sierra Leone and Côte d'Ivoire. The problem of children affected by war is also evidenced by the large number of children in refugee camps.

The main result of the participation of children in armed conflict in our subregion is that their normal development is hampered because they are deprived of access to educational systems and training institutions. Children are very often left behind at the end of hostilities, forcing them to resort to criminal activity for survival. We have noted that such situations are quite simply the result of the existence of armed non-State actors who are resolutely opposed to the cessation of conflict and who continue to use children in combat.

While we have noted that some children in West Africa have been forcibly enlisted, others have voluntarily joined warring groups due to hunger, the desire to play the hero or a longing to find a second family. In that connection, it is very interesting to note that studies are being carried out to determine possible links among children who are victims of trafficking, children who easily fall prey to recruiters and street children seen in various West African cities.

Generally speaking, therefore, ECOWAS supports the establishment of a protective environment and shares the concerns of UNICEF in that regard. We know that the absence of a sustained protective environment jeopardizes any rehabilitation effort. It was necessary to establish such programmes in West Africa in the light of the use of the first child soldiers in Liberia in the 1980s, a phenomenon that continued with the war in Sierra Leone. Moreover, field visits to Côte d'Ivoire and Guinea-Bissau revealed that children were also involved in the armed conflicts there. That is why ECOWAS heads of State or Government took action to ensure that ECOWAS was one of the first regional economic communities to place on its political agenda the overall issue of protecting children, especially those who have been the victims of conflict. For that, we commend them.

ECOWAS has put in place a number of mechanisms that today enable it to monitor the instruments it has adopted. I would like to mention several of them here. They include the April 2000 Accra Declaration on War-affected Children in West Africa, the 2000 decision on combating trafficking in children, the Declaration on the Decade of a Culture of the Rights of the Child in West Africa and our peer-review mechanism to address the situation of children. That commitment on the part of ECOWAS heads of State or Government has also benefited from the present environment, which has led to all its member States having ratified the Convention on the Rights of the Child. All ECOWAS member States have also submitted their initial reports to the United Nations Committee on the Rights of the Child, and several are submitting periodic reports.

With regard to the core child protection instruments — Convention No. 182 of the International Labour Organization (ILO), concerning the elimination of the worst forms of child labour and the Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict and on the Sale of Children, Child Prostitution and Child Pornography — we are proud that much progress has been made in West Africa. ILO Convention No. 182 on the elimination of the worst forms of child labour has been either ratified, signed or adopted by 12 of the 15 member States of ECOWAS. The Optional Protocol on the Involvement of Children in Armed Conflict has

likewise been either ratified, signed or adopted by 11 of the 15 member States. And the Protocol on the Sale of Children, Child Prostitution and Child Pornography has been ratified, signed or adopted by 12 of the Community's members.

On that basis, ECOWAS has established a Child Protection Unit directly under its Executive Secretariat. Its mandate is very straightforward, and involves four basic goals: to monitor the situation of children affected by war, to ensure the promotion of conflict-prevention mechanisms, to take part in child rehabilitation and reintegration efforts in the context of peacebuilding and to set up an early warning and emergency assistance mechanism.

With respect to monitoring the situation of war-affected children, we have undertaken a number of joint activities with UNICEF that have allowed us to participate in the "Back to School" programme established by UNICEF in Liberia.

With respect to the promotion of conflict-prevention mechanisms created during the negotiation of the Accra peace agreements on Liberia, we can see that the issue of child protection has been taken into account in those agreements. Similarly, we are now involved in the peace process in Côte d'Ivoire to ensure that the Government to be established after the elections in that country takes the issue of child protection into account in the peacebuilding process.

Our current activities include the training of West African armed forces in children's rights and protection in armed conflict; ensuring that child-related issues are taken into account in peace agreements, as I mentioned earlier; sending fact-finding missions to conflict zones in Côte d'Ivoire, Liberia, Sierra Leone and Guinea-Bissau; the training of security personnel, judges and social workers in children's rights and the protection of child victims of trafficking; the establishment of reintegration programmes for child victims of violence and other crimes; and the establishment of links with child-protection agencies.

One highlight of the programme that I wish to share with the Council is the training of West African armed forces in the area of the rights and protection of the child. A training workshop has been held to establish core groups of 26 officers designated as trainers. The higher-ranking officers, of at least the rank of colonel, are key in that field. Increased numbers will allow us to establish broader core groups among the West African forces of some 300 officers who are currently training the trainers. The programme, which began in 2002, is currently reaching some 6,000 peacekeeping soldiers in the ECOWAS region and elsewhere. There are a number of ECOWAS elements operating in the Sudan, the Congo and other countries that have already received such training and awareness-raising.

Our monitoring of the situation of children is another of the programme's key points. Such monitoring includes site visits that have enabled ECOWAS to assess the situation of the 11,780 demobilized children in Liberia, 11,673 of whom have been returned to their families in neighbouring countries. Among those, some 2,000 girls have been demobilized. The visits have allowed ECOWAS to take part in UNICEF's "Back to School" programme and to identify specific child-protection programmes.

The programme's weak points are its ongoing focus on children and armed conflict and its failure sufficiently to address the issue of child trafficking. The picture of the situation in West Africa clearly shows that there are other categories of children who need protection and that, if such protection is not provided, conflicts will clearly make those children more vulnerable still. Finally, the lack of resources ensures that many of these projects remain in the planning phase.

In terms of prospects, given the will expressed by our heads of State and Government to give greater attention to child-related issues in the programmes and policies of ECOWAS, and taking account of the great gains achieved in the implementation of the current child-protection programme, the Executive Secretary intends to incorporate child protection into its agenda and to expand its mandate to other categories of children in need of protection.

The Executive Secretary wishes thereby to ensure better participation by the member States in the implementation of the programme, particularly since the ECOWAS foreign ministers meeting, in Accra on 18 January, agreed to convene this year a conference of ECOWAS ministers for foreign affairs on child soldiers and to proclaim a week of truce in solidarity with children affected by war. We commend the spontaneity with which the Government of Benin agreed to host the conference. With respect to the first feedback received from that Government, I believe that we can look

forward to an excellent conference. The conference and the week of truce are key activities that will enable us better to mobilize ECOWAS' partners on behalf of children. The Executive Secretary therefore intends to make the issue of children a priority in the context of conflict prevention, peacekeeping and peacebuilding.

In conclusion, ECOWAS' child-protection programme was designed in a subregional context and to provide a lasting alternative in the creation of an environment conducive to a culture of non-violence and peace. We must place the issue of children and their rights at the heart of the political agendas of our decision-makers. To that end, we must be able to ensure that all children enjoy all their rights in all circumstances.

While ECOWAS focuses its activities on protection, we also know that the issue of children's rights are intimately linked to four areas: development, survival, participation and protection. We also know that the rights to development, survival and participation require less political involvement, but that with respect to child protection we need to adopt, ratify and implement protocols. In that regard, Governments are called on to act and must make child-related questions a policy issue, because it is thereby that such issues will become a choice of society and a political lodestar.

In the near term, we must work to see to it that West Africa ceases to be the world's laggard in the protection of children and their rights. The economic and social development of our region depends on it.

The President (*spoke in French*): In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

On behalf of the Security Council, I extend a warm welcome to the Honourable Asha-Rose Migiro, Minister for Community Development, Gender and Children of the United Republic of Tanzania.

Ms. Migiro (United Republic of Tanzania): Allow me at the outset to express our profound thanks to the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu, for presenting the insightful and touching report of the Secretary-General. It will, obviously, serve to strengthen our resolve to fully address children's issues, especially as they relate to situations of conflict.

My delegation would like to register its appreciation to the delegation of Benin for organizing this open debate on children and armed conflict. The issue before us resonates our commitments in the Declaration and Plan of Action of the World Summit for Children. In the Declaration, we pledged, amongst other commitments, to strengthen the protection of children affected by armed conflicts, to end the recruitment of children for armed conflicts and to factor issues of protecting children into peacekeeping processes. Nevertheless, the recruitment of children for combat activities by non-State actors and militias continues unabated in many parts of the world. By the same token, several Governments and regimes cannot escape culpability and/or complicity.

My delegation welcomes the report of the Secretary-General on children and armed conflict, issued in document S/2005/72. The report is the culmination of a succession of initiatives on behalf of children by the United Nations, beginning with advocacy and followed by standard-setting based on relevant Security Council resolutions to this stage of implementation, contained in the document before us for deliberation by the Council today.

The proposals and methodologies for monitoring, reporting and compliance are professionally well-thought-out tools. However, we foresee some difficulties which could be encountered in the collection of information for monitoring and reporting purposes. We are of the view that there is a need for United Nations country teams, and in particular for a focal point for children, to have a dialogue with, and sensitization programmes for, concerned Governments on the need to provide such information. It should also be noted that some Governments may be willing to provide such information, but that the information may not be kept in a systematic manner or simply not have been recorded.

The establishment of a comprehensive monitoring and reporting system, as recommended by the Secretary-General, has to take these constraints into account. Similarly, in developing such a system, it should be noted that, whereas a generic system may be desirable, there is a need to tailor it to be country-

specific, as situations may differ from one country to another. To ensure the availability of monitoring and reporting information, countries that are not willing to provide such information should be helped to develop the needed capacity and encouraged to meet compliance requirements.

While we welcome the progress that has been made in some countries, such as Liberia and Afghanistan, my delegation is deeply concerned by the continued use of child soldiers in many situations of armed conflict. We strongly condemn those parties that kill children who wish to opt out of or refuse recruitment. We also condemn all those parties to conflicts that attack schools and hospitals or commit atrocities that are in violation of international humanitarian and human rights law. Stern measures need to be taken against such parties to conflicts. The report of the Secretary-General recommends that action be taken at various levels — national, regional and international, including by the Security Council, which bears the primary responsibility for the maintenance and enforcement of international peace and security.

A long-term solution to the problem of children in armed conflict lies in conflict prevention — by way of building solid foundations of good governance, democracy and all-round development. In the Great Lakes region, for example, this matter has been incorporated in the Dar es Salaam Declaration, adopted on 20 November 2004 during the first Conference of the Great Lakes Region on Peace, Security, Democracy and Development. The Declaration, which is expected to culminate in a peace pact later this year, prohibits the recruitment of children into armed forces and calls for the reunification of such children with their families or their rehabilitation and reintegration into their communities. In that regard, we welcome the recommendation of the High-level Panel on Threats, Challenges and Change for the establishment of a peacebuilding commission to address comprehensively the reintegration and rehabilitation of children ex-combatants, with particular emphasis on ex-girl soldiers.

The challenge before us, therefore, is to develop appropriate laws and policies and to enact relevant laws. Their enforcement will require political will and commitment at the highest political levels to the protection of children, which translates into programmes that lead to poverty eradication and improved opportunities for the education and development of children. The Government of the United Republic of Tanzania has established a children's department within the Ministry of Community Development, Gender and Children to ensure that children's and gender issues are mainstreamed in national policies. At the same time, the majority age in Tanzania is 18 years, which also applies to the recruitment of soldiers in the Tanzania People's Defence Force.

The gravity of the situation of children in conflict requires our concerted efforts. We have at our disposal a number of instruments that provide the framework for protecting children and ending child soldiering. What is now needed is compliance with those instruments. The use of child soldiers needs to be added to the list of existing regimes of sanctions, and criminal procedures against the perpetrators must be undertaken. My delegation welcomes the action plan proposed by the Secretary-General as a starting point for discussion on a framework for monitoring and reporting and ensuring compliance.

In conclusion, we welcome what has become a standard practice — authorizing the protection of civilians, including children, in peacekeeping missions. However, we are astounded by reports of sexual abuses against girls and women in peacekeeping missions. Those responsible seem to be taking advantage of the weak judicial institutions in the countries they serve to violate their own professional ethics. We support the zero-tolerance policy of the Secretary-General aimed at stopping such repulsive practices. They should be stopped. We urge troop-contributing countries to take stern disciplinary measures against the culprits and to work with the Secretary-General in that endeavour.

The President (*spoke in French*): I thank Ms. Migiro for the kind words she addressed to me and to my country.

On behalf the members of the Council, I should like warmly to welcome Mr. Pierre-André Wiltzer, High Representative for Security and Prevention of Conflicts.

Mr. Wiltzer (France) (*spoke in French*): May I first thank you, Mr. Minister, and, through you, Benin, for having taken the initiative to convene this debate on children and armed conflict. As the Council is aware, France has for a number of years been deeply involved in this question at the United Nations and

with its European Union partners, and fully supports you, Sir, in this initiative.

All over the world, wars continue to bring death and suffering to vast numbers of children. The staggering numbers referred to by Mr. Otunnu and Ms. Rima Salah — both of whom I would like to thank — make clear this unacceptable reality. The suffering of a child caught up in the storm of an adult war is always revolting, but for a child to be exploited and used in such a war is a scandal that the international community must not tolerate.

That is why our debate today must be action-oriented. It must enlighten us as to the urgent and necessary measures that must be taken to put an end to this situation.

As the Secretary-General's latest report rightly notes, we are confronted today with a cruel dichotomy. On the one hand, clear and rigorous standards have been adopted at the international level to ensure the protection of children in armed conflict. On the other, however, atrocities continue to be perpetrated on the ground, and those who commit them enjoy almost total impunity.

That failure to implement the standards it has decreed must be a matter of concern to the international community. More particularly, it is a matter of concern to us, the members of the Security Council. Indeed, since 1999, the Council has adopted five resolutions demanding an immediate end to child recruitment and progressively stepping up pressure on the armed groups responsible. Two of those resolutions illustrate that progression clearly: first, resolution 1379 (2001), adopted on 20 November 2001, requested the Secretary-General to submit to the Council a "blacklist" of parties to an armed conflict that recruit or use child soldiers in violation of international norms, and for the first time envisioned targeted sanctions; and, secondly, resolution 1539 (2004), adopted last year, demanded that the parties identified in the blacklists halt any practices in violation of international law and established a graduated, concrete regime on the ground providing — in the absence of progress and as a last resort — for sanctions against the parties concerned.

However, that resolution, like resolution 1379 (2001), has not been implemented in terms of its main provisions.

France, the author of both those texts, which it submitted to and negotiated in the Council, deems this situation unacceptable. Accordingly, we subscribe fully to the recommendation of the Secretary-General, who, in his most recent report, reiterates the request he made last year to the Security Council, that is, to agree on specific, targeted measures in the absence of progress on the ground. Those measures are necessary. They are explicitly envisaged in the last three resolutions adopted by the Council on this matter. We must now move from consideration to action.

We are well aware that the decision to impose targeted sanctions raises many questions. One of those questions relates to the fact that groups identified in the black lists are involved in conflicts well beyond the range of situations on the Council's agenda. We will also have to take into account the fact that some of those groups are already subject to sanctions regimes. Lastly, we will have to keep in mind the fact that recruitment itself is part of a whole spectrum of very serious violations, particularly those linked to sexual violence.

All those questions will naturally have to be studied and discussed in detail.

At the same time, we must avoid concentrating exclusively on the issue of sanctions. Those measures, while certainly necessary, must be part of a comprehensive mechanism of monitoring and reporting, as well as follow-up, with respect to demobilized children. Let me briefly touch on those mechanisms.

The first element is a monitoring and reporting mechanism. Its purpose is to provide for the systematic and rapid gathering of objective, accurate and reliable information on violations against children in situations of armed conflict. This information is absolutely necessary if we want to move to action. The Secretary-General, in his recent report, proposes an action plan for setting up such a mechanism, involving a broad range of actors, including, naturally, his Special Representative, Olara Otunnu, and UNICEF. The Council should approve the plan and request that it be implemented as quickly as possible. The role of non-governmental organizations within this system will have to be clearly identified.

The second key element is the reintegration of child soldiers. Denied the right to education and their chances for balanced development — in short, cheated

of their future — these children are victims above all. But we must also prevent them, deprived of family and social guidance, from becoming a potential factor for the recurrence of crises. Any country emerging from war takes a risk by leaving its young people on the sidelines, without prospects and knowing only the culture of violence. Programmes for the disarmament, demobilization and reintegration (DDR) of combatants must take into account the specific needs of children — in particular those of girls, as just mentioned, who are often even more severely affected than boys, and whose reintegration is even more difficult.

Experience shows — and this is particularly true in West Africa and the Great Lakes region — that recruits are often re-enlisting: having been demobilized, but lacking adequate care, children are enrolled again in the ranks of armed groups. The reintegration segments are often the poor relations in DDR programmes for want of the necessary financing, and also for the lack of proper coordination among all the actors involved on the ground. In this regard, it is important and urgent to appoint a leader to ensure the coherence of all actions undertaken on the ground.

My final point — one that is of particular concern to us — is the proven link between small arms trafficking and child recruitments. Last week's debate in the Council (see S/PV.5127) cast light on that link. It is intolerable that parties identified in the black lists of child recruiters continue to be supplied with light arms, which are easily used by children. It seems to us therefore that the Council should send a strong message in that regard.

Ultimately, effectively stopping child recruitment and fighting against the many violations on the ground require us all to mobilize — States, United Nations bodies and agencies, international financial institutions, non-governmental organizations, regional and subregional organizations and civil society. Each one must come face to face with its responsibilities.

At the beginning of my remarks I expressed the hope that our debate today would be action-oriented. The draft resolution presented by the Benin presidency endeavours to respond with ambition and determination to the various points I have just raised. That is why we fully support it. I hope that our debate today will strengthen Benin in its determination, and that agreement can be reached quickly on the text that has been presented.

The President (*spoke in French*): I thank the minister for the kind words he addressed to me and to my country.

Mr. Motoc (Romania) (*spoke in French*): Mr. Minister, I want to warmly welcome you to the Council and to thank the Beninese presidency for the initiative of organizing this public debate on this urgent and complex agenda item. We are also very pleased at the large number of ministers who have joined us today.

I would like to state that the delegation of Romania fully associates itself with the statement that will be made by the Luxembourg presidency of the Council of the European Union. My comments will therefore be brief and to the point.

We have considered with great interest the recent report of the Secretary-General on children and armed conflict (S/2005/72). We have heard the statement of Under-Secretary-General Olara Otunnu, which measured up to that remarkable document. They describe an ongoing, disheartening modern-day situation: the recruitment and use of large numbers of children as combatants in a number of conflict zones.

In the face of this terrible challenge, it is imperative that the international community act without delay by adopting the measures necessary to ensure that the legal framework that already exists is actually implemented. To do this, we need first to activate the instruments provided for in successive Security Council resolutions, particularly resolutions 1379 (2001), which introduced the concept of the black list, and 1539 (2004), which refers to the possible imposition of sanctions against parties that do not respect the obligations incumbent upon them or that do not honour their commitments.

With regard to these two elements, the report of the Secretary-General specifically recommends that targeted and concrete measures be taken where insufficient or no progress has been made by parties named in the black list. That recommendation is of particular relevance. Romania will provide strong support for any initiative leading to the adoption of the kinds of measures proposed by the Secretary-General. We shall thus mark the beginning of an "era of application" and, at the same time, move towards the end of an era of impunity.

The monitoring and reporting mechanism represents another part of the active commitment to ensure that the standards established are ultimately respected by those they refer to. This system should be comprehensive and inclusive; that will enable it to ensure the systematic transmission of specific, complete and verifiable information, which is indispensable for a timely and appropriate response.

The action plan proposed by the Secretary-General for setting up such a mechanism has made an excellent impression on us; we hope to see it put in place as soon as possible. The Special Representative of the Secretary-General and UNICEF should pool their efforts in order to ensure that the system works with the effectiveness expected of it. At the same time, non-governmental organizations and civil society should perhaps be given a clearer role in the preparation of the final products of the mechanism.

My delegation would like to express its extreme gratitude for the work done by the Special Representative, who, in the implementation of his mandate, has been acting pragmatically and in a cooperative fashion to provide broad and effective protection for children exposed to situations of unrest anywhere in the world. It is in this spirit that we would like to draw attention to the possibility of including in the scope of the work of the Special Representative the particular situation of children that are victims of physical and psychological violence practised in the so-called no rights zones. Those areas are very often the result of frozen armed conflict where self-proclaimed illegitimate authorities have seized power by force and proceed with all impunity to massively violate human rights, including the rights of the child. This is an intolerable situation — an example can be seen in the area of Transdniestria on the borders of Europe — that must not escape the attention of the international community in its efforts to bring protection to children in armed conflicts.

In his report, the Secretary-General mentions with grave concern the problems related to sexual mistreatment and exploitation on the part of staff of United Nations peacekeeping missions and the fact that the situation is more serious and widespread than we initially thought. We note with satisfaction his conclusion that the current approach to that issue will be entirely revised for all operations. In our opinion, this translates into an alarm bell for those who have the duty to respond — given the scope of the phenomenon, which affects the various peacekeeping missions deployed throughout the world. Romania, as a country that provides significant contingents to those missions, is prepared at all times to take part in analysis and consultations in order to find joint solutions that we can apply generally to peacekeeping operations.

The Security Council will shortly begin consultations on a draft resolution that would provide new guidelines for further steps to be taken in order to protect children in situations of armed conflict. I remain convinced that, with determination and in a spirit of compromise amongst members of the Council, the text of the resolution will be rapidly agreed to and can be adopted in short order.

I would like to conclude by quoting an African proverb that says that when you take a child's hand, you warm the heart of the mother. I would ask the Council to warm the hearts of mothers everywhere.

Mr. Baja (Philippines): We are greatly honoured today by your presence and heartened by your Government's deep concern for the situation of children in armed conflict. On the occasion of this open debate, the Philippines joins the international community in searching for durable approaches and strategies to prevent and eliminate the exploitation and abuse of children.

We are grateful to the Special Representative of the Secretary-General for his briefing, and to the representatives of the United Nations Children's Fund and the Economic Community of West African States (ECOWAS) for their important and informative statements.

We appreciate the submission of the Secretary-General's fifth report, which has provided us with information on the humanitarian conditions in conflict areas as they impact the protection of children. We condemn those serious violations and stress our readiness to contribute to solutions that will appropriately and effectively address that problem.

However, the report could have given a more comprehensive account of all conflict situations. Paragraph 76 of the report, which claimed that the lists submitted encompassed all violating parties, does not seem to be as complete and accurate as it should be. A thorough and non-selective coverage of conflict situations in future reporting is necessary in order not

to leave unprotected those children whose situation may never be addressed.

We endorse the Secretary-General's proposal for a monitoring and reporting mechanism. As the minister of France has stressed, it is important that there be objective, accurate and reliable information gathering and monitoring of violations against children in situations of armed conflict. We agree, in particular, with the Secretary-General's idea of a strong local component in the gathering of information and the monitoring of developments on the ground. Local protection networks are right at the front in conflicts and are in closest contact with the affected children and communities. We need to strengthen those networks and give them the necessary support to develop their capacities for monitoring, reporting and humanitarian intervention. Investments in building local capacity are of great value because they help deliver long-term solutions for the protection and rehabilitation of children affected by conflict.

We are, however, concerned about the report's suggestion that the practice of initiating direct contact by United Nations actors with non-State actors be generally applied as part of the mechanism at the country level. That practice may be effective in some areas, but in other situations it may be a precarious procedure to use. The minister of Tanzania has clearly stressed the different dynamics of the conflict situation there. There are countries, including the Philippines, that have established channels of communication between the Government and non-State parties to conflict, which constitute the basis of the vital peace process. That peace process involves many essential elements, including a joint human rights monitoring component. Any engagement involving United Nations actors must fall within the context of that established peace process in order not to undermine or impair the existing delicate peace process.

The disclaimer that United Nations engagement with non-State actors would not confer any political or legal status to those groups does not address the different dynamics of each conflict situation.

The "era of application" can be realistic if the implementation regime is based on cooperation among Governments, the United Nations system, international humanitarian agencies and local civil society actors. The "era of application" should address the root causes of child soldiering and counter the incentives for recruitment of children by armed groups. This new regime should also require the strengthening of social structures, such as the family, community and the school system, in order to lessen the vulnerability of children to recruitment and to provide more sustainable rehabilitation for former combatants. Efforts to protect children in armed conflict should be carried out as part of the general strategy to rebuild peace and order and promote reconciliation in conflict areas.

We are appalled by incidents of sexual abuse and exploitation by United Nations peacekeeping personnel. Those horrific acts negate the very purpose of peacekeeping and betray the very people they were supposed to protect. It is necessary to put in place accountability mechanisms for offenders. We seek the support of troop-contributing countries for setting up more stringent regulations, as well as in enhancing education for peacekeepers. We also urge the inclusion of child protection advisers in peacekeeping missions in order to provide the necessary in-field training.

We welcome the report's elaboration on best practices in disarmament, demobilization, rehabilitation and reintegration (DDRR). Those measures should urgently be incorporated into peacekeeping missions and peacebuilding efforts. We also appreciate the report's recommendations on measures to control illicit cross-border activities that negatively impact children. The recommendations cut across many important dimensions and should be considered by the broad membership of the United Nations in cooperation with relevant international bodies.

Conflicts and wars place the lives and well being of civilians and innocent people at extreme risk. Children are particularly vulnerable and that problem demands urgent action through coordinated strategies. The Security Council can contribute towards this end if there is accurate, comprehensive and inclusive monitoring of violations on the ground and if it monitors the implementation of its past resolutions on that issue.

In conclusion, let me reaffirm my delegation's commitment to the protection of children.

The President (*spoke in French*): I thank the representative of the Philippines for the kind words he addressed to me and to my country, Benin.

Sir Emyr Jones Parry (United Kingdom): Your presence, Mr. Minister, underlines the importance of this subject and of today's debate; you are very welcome here. I would like to thank the Secretary-General for his report (S/2005/72), our three briefers for their opening statements and United Nations partners and civil society organizations for the important contributions they are making to tackle this issue.

The United Kingdom associates itself with the statement to be delivered later by the representative of Luxembourg on behalf of the European Union.

We have come a long way since Graça Machel's landmark 1996 report on the impact of armed conflict on children. The achievements made so far are covered in the Secretary-General's report. But, despite our best efforts, children remain vulnerable to forced recruitment and abuse by armed groups. So making the "era of application" a reality must be our top priority. Resolution 1539 (2004) laid out three key elements: the production of action plans; the monitoring and review of the implementation of those action plans and of violations more generally; and, finally, what we should do when plans are not made or action is not taken.

The first element, time-bound action plans and the nomination of country-level focal points, has seen some progress, but more needs to be done to ensure full implementation. The Secretary-General has highlighted the difficulties and the constraints to effective implementation; we now need to overcome them.

The second element concerns the establishment of a monitoring and reporting mechanism. Like the Special Representative, my Government regards that as critical in making the "era of application" a reality. The proposed mechanism should be practical and realistic; it should be clear about what will be monitored; it should protect those involved; and it should be adaptable in the light of experience.

Finally, monitoring and review is not an end in itself. It must lead to action — and effective action at that — when progress is inadequate. The Security Council will now consider how best to extract compliance from parties to armed conflict who continue to recruit children and violate their rights. The aim is real improvement on the ground, and the approach must not just make us feel good; it must also do good. Success will require the right institutional framework, as proposed in the Secretary-General's report on the comprehensive assessment of the United Nations system and its response to children and armed conflict. So we very much welcome the Secretary-General's determination to implement his recommendations without delay.

Disarmament, demobilization and reintegration (DDR) is a vital element of post-conflict peacebuilding. We therefore welcome the best-practice guidelines set out in the Secretary-General's report. There is a clear need for effective DDR of all children associated with fighting forces, both combatants and those in ancillary roles, especially girls. That must not be dependant upon formal peace processes. The recruitment and use of children is illegal under international law anyway and should be a priority separate from DDR of adult soldiers.

The United Kingdom welcomes and encourages the steps taken to tackle illicit cross-border activities, particularly the trafficking of small arms and light weapons, which serve to fuel and prolong armed conflict, where children always end up suffering disproportionately.

Like others who have spoken, the United Kingdom is deeply concerned by the allegations of sexual misconduct by civilian and peacekeeping personnel, especially in the Democratic Republic of Congo, where the allegations are particularly disturbing. We welcome the recent statements by the Secretary-General on this matter. Like others, we urge the United Nations to investigate all allegations fully and to report the outcomes to the Council. We also look forward to the report of the Secretary-General's special Adviser, Prince Zeid Ra'ad Zeid Al-Hussein, which should contain wide-ranging recommendations for radical reform within the United Nations to tackle abuses. Meanwhile, however, I want to be absolutely clear: there should be no misunderstanding that the Security Council expects those in charge of both civilian and military personnel to ensure that command arrangements in all theatres preclude the opportunity for such abuse and to impose much-needed discipline. The Council must hold to account those who do not fulfil that simple obligation.

Some of the countries listed in the Secretary-General's report are already on the Council's agenda,

so I would like to confine my remarks, briefly, to the situations in Myanmar, Nepal and northern Uganda.

Last year, I expressed concern about the plight of child soldiers in Myanmar. Since that time, we have noted and welcomed the establishment of the Committee for the Prevention of Military Recruitment of Under-Age Children and its recently adopted plan of action. We now call on the Myanmar authorities to implement that plan of action.

Last year, I also expressed concern about the plight of children in northern Uganda, one of the gravest humanitarian crises in Africa. Recent efforts to find a peaceful solution to the conflict are encouraging and represent perhaps the best opportunity for peace in more than a decade. So we urge both sides to engage in dialogue, to sign a cessation-of-hostilities agreement and to follow the path to peace. The international community must be ready to support the consequent reconciliation and rehabilitation efforts.

With regard to Nepal, the British Government is deeply concerned about the abduction, use and recruitment of child soldiers by the Communist Party of Nepal-Maoist (CPN-M), as well as the violence reportedly carried out against children by both Maoist and Government security forces. We therefore urge both parties to halt such practices and to find a peaceful solution to the conflict through dialogue.

The United Kingdom will continue to work hard to support this agenda at all levels in the United Nations system and beyond. Nationally, we are supporting a variety of projects in several African and Asian countries, mainly in the area of DDR; we are also supporting civil society networks in the area of monitoring, reporting and advocacy; and we continue to support the agenda through the actions of the European Union.

In terms of making the "era of application" a reality, Security Council and United Nations action helps, and we can have — and indeed should have — a moral obligation to respond. But much more depends on the will and actions of national Governments and armed groups that continue to subject children to forced recruitment and abuse. We must therefore strengthen our resolve to hold accountable those who commit such intolerable acts and who thereby deprive children of the most important years of their lives.

The President (*spoke in French*): I thank the representative of the United Kingdom for the kind words he addressed to me and to my country, Benin.

On behalf of the Security Council, I warmly welcome to the Council His Excellency Mr. Itsunori Onodera, Parliamentary Secretary for Foreign Affairs of Japan.

Mr. Onodera (Japan): It is my honour, Mr. Minister, to participate in today's open debate in the Security Council under your presidency. The fact that you are presiding over the debate demonstrates the importance that your country attaches to this issue. Unfortunately, my Foreign Minister could not come to New York at this time, as you requested, but has instructed me to join the debate on his behalf.

I wish to thank the Special Representative of the Secretary-General for the Children and Armed Conflict, Mr. Olara Otunnu, for presenting the Secretary-General's report.

It is encouraging that the international community is paying greater attention to the suffering of children caught in armed conflict. This has resulted in achieving positive developments in some situations, yet the stark fact remains that in numerous cases children are still facing dire conditions. This is unacceptable, and the international community needs to take more vigorous action to improve this unconscionable situation.

However, to be effective in our action, we first need to have a clearer grasp of what the reality is. As the Secretary-General's report shows, we have only limited information on the actual situations concerning the recruitment and use of children for soldiers, as well as other violations committed against children. Access allowed to aid workers is often limited in conflict situations. Communication with the outside world is also difficult, as vital infrastructure is often destroyed. Also, armed groups keep their activities secret. All these factors make the gathering and assessment of information extremely difficult.

That is why Security Council resolution 1539 (2004) requested the Secretary-General to devise an action plan for a systematic and comprehensive monitoring and reporting mechanism in order to provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers. My Government welcomes the Secretary-

General's action plan set out in his report and extends its support to the establishment of a monitoring and reporting mechanism. At the same time, my country believes that it is important to take the following points into account upon setting up such a mechanism.

First, a collaborative and coordinated approach will be needed for such a mechanism to function effectively. As stated in the Secretary-General's report, there are many bodies and actors that possess relevant information, ranging from United Nations entities — such as peacekeeping missions, UNICEF, the United Nations Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees and the Office of the United Nations High Commissioner for Human Rights — to national Governments, local authorities and local and international non-governmental organizations operating on the ground. Therefore, the focal point of a monitoring and reporting mechanism should ensure collaboration and coordination, utilizing the resource base and the expertise of all these bodies and actors concerned.

Secondly, such a mechanism will need to ensure that the voices on the ground are adequately reflected in the compilation of information and evaluation and assessment of the situation. For example, we understand that the Government of Myanmar has established a committee for the prevention of military recruitment of under-age children and has drawn up an action plan to be implemented by the committee. That is to be regarded as a positive step in itself. Therefore, the mechanism should establish ways to reflect such information, which is to be assessed and reflected in the Secretary-General's future reports. In this process, the United Nations country team's assessment of such an action will also need to be reflected with regard to its actual effectiveness in preventing the recruitment of child soldiers.

Thirdly, a monitoring and reporting mechanism, once established, should be continually improved. It should be subjected to a full review after its first report is submitted to examine the timeliness, accuracy, objectiveness and reliability of the information gathered and contained in the report and efforts should be made to identify ways and means to further improve the workings of such a mechanism.

Objective viewpoints and reliable information in specific situations will prepare the basis for appropriate actions that need to be taken. We share the view expressed in the report that all relevant actors should be encouraged to consider appropriate action to address any given situation. However, in most cases, the most important actor will be the national Government itself. Among the United Nations bodies, the General Assembly and the Economic and Social Council, as well as the Security Council, should also come in, as appropriate, to consider actions according to their respective mandates.

In discussing the problem of children in armed conflict, we must refer to the recent reported incidents in the Democratic Republic of the Congo, where some United Nations peacekeeping personnel actually became abusers of children. This misconduct is unacceptable and reprehensible. Needless to say, such misconduct causes suffering to children and seriously damages the credibility of the United Nations and its entire effort, not only in the Democratic Republic of the Congo, but also elsewhere. My Government strongly supports the United Nations zero-tolerance policy with regard to sexual abuse and believes that robust measures need to be taken to achieve genuine compliance. We welcome the Secretary-General's efforts to this end. In considering such measures, Japan, as Chair of the Security Council Working Group on Peacekeeping Operations, stands ready to work with interested Member States.

Let me briefly mention some of the concrete programmes in which Japan has recently participated in helping children caught in armed conflict. Last March, my Government contributed $3.64 million to UNICEF to help implement its disarmament, demobilization, rehabilitation and reintegration project for child soldiers in Liberia. That project aims to help return an estimated 15,000 children to their homes and communities. We also supported the back-to-school campaigns run by UNICEF in Afghanistan and Iraq, which help to rehabilitate local communities while alleviating the trauma of children affected by long-term conflict.

All those programmes are based on the concept of human security, which Japan upholds. We will continue to work closely with the relevant United Nations agencies, funds and programmes to promote the welfare and empowerment of the general public based on the concept of human security, with particular emphasis on children and women.

In conclusion, we would like to underline the importance of strengthening international cooperation towards the shared goal of helping children in armed conflict. As the theme of today's open debate suggests, the suffering of child soldiers in Africa is particularly grave and is of serious concern to all of us. Yet the problem is not limited to Africa. We must change what is a tragic reality around the world, that of twelve-year-olds running around with Kalashnikovs, without any access to education and without ever knowing that there is a different lifestyle, to which they have a right.

For that reason I commend you, Mr. President, for convening an open debate to hear the views of non-Security Council members. Their views expressed today should be duly taken into account in our deliberations in the Council. I am confident that our collective wisdom will help us find effective ways for the United Nations to better address the issue of children and armed conflict. The time for advocacy is over, and the time is now upon us for concrete action. We should all strive to implement concrete plans for the benefit of our children around the world.

The President (*spoke in French*): I thank the representative of Japan for his kind words addressed to me and to my country, Benin.

Mr. Vassilakis (Greece): I would like to begin by thanking you, Mr. President, for convening this open debate on children and armed conflict. Your presence here manifests the commitment of the Government of Benin to this very important and sensitive issue.

Greece fully associates herself with the statement to be delivered later by the Ambassador of Luxembourg to the United Nations on behalf of the European Union. Nevertheless, I wish to make the following remarks.

The Secretary-General has presented a substantive report. In our view, the fifth report on children and armed conflict has fully addressed the recommendations of Security Council resolution 1539 (2004), and specific proposals have been submitted.

We would also like to commend the remarkable work done in the last seven years by the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu.

The report of the Secretary-General provides us with evidence and data on progress made towards reducing the number of child soldiers and redressing the horrendous acts of abuse inflicted upon children who are caught in armed conflict situations.

However, children continue to be recruited, killed, maimed, abducted, sexually abused and exploited in armed conflicts. The report specifies 42 armed groups in 11 countries that are recruiting and abusing children in war zones. We witness progress in one war situation and at the same time there is a drawback in another armed conflict, even in the same country. The current situation in the Sudan is just an example of the complexities of the issue.

The information concerning sexual exploitation and abuse in the Democratic Republic of the Congo committed by United Nations peacekeeping personnel demonstrates how widespread and serious the situation is. The response of the United Nations must be unequivocally a zero-tolerance policy. All of us agree that we have to act and act soon. But how can we do that in order to get the long-awaited results?

As the report points out, in recent years we have succeeded in establishing a comprehensive international legal framework for the protection of war-affected children. I have two comments on that issue.

First, the Optional Protocol to the Convention on the Rights of the Child provides that no one under the age of 18 should be recruited by any army. All States must become parties to this Protocol and must implement its provisions. Greece has ratified it and as a European Union member State is also committed to the implementation of the European Union Guidelines on Children and Armed Conflict adopted in 2003.

Secondly, the international community must not allow impunity to prevail as regards serious crimes against children in armed conflict. The perpetrators of such crimes must be brought to justice. In that respect, we would like to underline the importance of the International Criminal Court in pursuing accountability. The Rome Statute provides a clear legal basis, as it stipulates that the use of children under the age of fifteen as soldiers in armed conflict is a war crime.

Therefore, having a complete set of the necessary legal and judicial tools at our disposal, what remains to be done is to take action.

We welcome the strong focus on compliance in the Secretary-General's report, in particular the recommendation that the Security Council impose

targeted measures against those parties named in the two annexes who do not meet their obligations for compliance. In that context the fifth report indeed paves the way, in the words of the Secretary-General, to an era of application.

The Secretary-General's action plan to establish a systematic and comprehensive monitoring and reporting mechanism contains important elements that would enhance the protection of children in situations of armed conflict. It has the full support of Greece. We hope that the Security Council will soon be able to agree on the relevant resolution, currently under discussion.

With regard to post-conflict situations, special attention should be given to ensuring that all children are included in all disarmament, demobilization and reintegration (DDR) processes and that their specific needs, such as medical support, education and reunification with their families, are being addressed. The vulnerable situation of girls also deserves special care. Greece is committed to contributing funds to the DDR programmes for children through the European Union's Plan of Action on Children and Armed Conflicts.

In concluding my remarks, I would like to congratulate Benin for keeping the issue of children and armed conflict high on the agenda of the Security Council by presenting a draft resolution destined to be our trigger for action that we hope to be able to agree upon at a later stage.

We all share responsibility in taking action to stop the recruitment and all acts of abuse that children suffer in armed conflicts throughout the world. The perpetrators have to be made accountable for their crimes. There is no other way to protect the lives of our innocent children, our hope and our future.

The President (*spoke in French*): I thank the representative of Greece for his kind words addressed to me as well as to my country, Benin.

Mr. Holliday (United States of America): I would like to welcome the Foreign Minister of Benin, as well as to express our appreciation to his country for the leadership it has demonstrated in addressing the issue of children in armed conflict. I would also like to thank Special Representative Olara Otunnu for his statement this morning, as well as to express my gratitude for the report of the Secretary-General on children and armed conflict, which was issued earlier this month.

Like other delegations, the United States recognizes with deep regret the tragic consequences suffered by children affected by armed conflict. We urge the United Nations, the Security Council and the Governments of all Member States to continue to focus on the issue of children in armed conflict.

The Secretary-General's report details some welcome evidence of compliance with regard to ending the use of child soldiers in violation of applicable international law. His report also notes progress in addressing other violations suffered by children in armed conflict. While the Secretary-General's report indicates that some positive steps have been taken, clearly there is much more to be done. My country fully supports the call for all parties listed in the annexes of the report to halt the recruitment and use of child soldiers in violation of international law. As noted in the report, the use of child soldiers is especially dire in Burma, Colombia, Côte d'Ivoire, the Democratic Republic of the Congo, Liberia, the Sudan and Uganda.

The United States notes that the Secretary-General's report included the terrorist attack that occurred in Beslan, in the Russian Federation, a tragedy that resulted in hundreds of children being injured or killed. We of course hope to do whatever we can to prevent the recurrence of such outrages.

In the course of this discussion, the United States would also like to emphasize that there is a serious problem in our own peacekeeping operations that has too often affected children. That is an issue that requires immediate and sustained attention. An abuse of power not only affects victims from the most vulnerable sectors of society, but it also undermines the trust and legitimacy that peacekeepers around the world deserve, and which they require to carry out their mandates.

The United States supports the Secretary-General's commitment to stop continued violations against children, such as recruitment or use child soldiers in violation of international law, unprovoked attacks targeting schools or hospitals, the maiming and killing of children, child abduction, rape and other forms of sexual violence and unwarranted denial of humanitarian access. We welcome effective monitoring

and reporting of all such violations as an important element of an effort to eliminate them.

My delegation does, however, have some concerns about certain aspects of the proposed plan of action. They include possible unanticipated policy and resource implications of the proposed new thematic sanctions committee in the Council and the call for an expansion of the duties of voluntarily funded programmes — such as UNICEF, the Office of the United Nations High Commissioner for Refugees and related non-governmental organizations — without the assurance that sufficient additional resources will be available.

Although we agree that a broad partnership among national Governments, civil society and the United Nations is needed to address the issue of children affected by armed conflict, we believe greater clarity and selectivity is needed so that we can move forward in an effective and efficient manner. Several non-governmental organizations expressed related concerns at last week's Arria-style meeting, which was held under the able leadership of Ambassador de La Sablière.

We look forward to addressing those concerns with other delegations as we continue negotiations on the draft resolution following up today's meeting. We are particularly interested in hearing the views of other members of the United Nations today. We have already heard some very valuable perspectives that will contribute to the debate.

We look forward to addressing this critically important issue. Again we welcome you to the United States, Mr. President, and thank you for your contribution to this debate.

The President (*spoke in French*): I thank the representative of the United States for his kind words addressed to me and my country, Benin.

Mr. Wang Guangya (China) (*spoke in Chinese*): I would first of all like to welcome the President, the Foreign Minister of Benin, a very friendly country, who has come here to personally preside over today's open debate. The Chinese delegation would also like to thank the Secretary-General for his report on the issue of children and armed conflict. We also thank Ambassador Otunnu for his presentation.

Children are the future of the world, and they represent humankind's hopes for tomorrow. However, as the most vulnerable group, they are often adversely affected by armed conflict. All countries and parties have an obligation to try their best to protect children from the harm of armed conflict. In recent years, the United Nations adopted a series of measures to promote the protection of children in armed conflict. It has also achieved positive results in this area. The Security Council has adopted a series of resolutions — namely, resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003) and 1539 (2004) — that provide a very important legal framework for the protection of children.

Some United Nations peacekeeping operations have also taken the protection of children very seriously, including by appointing child protection advisers and by assisting countries emerging from conflict to give full consideration to the special needs of children as part of their disarmament, demobilization and reintegration (DDR) programmes. In addition, some of the peace agreements that the United Nations has promoted or participated in contain provisions on the protection of children. And some of the countries concerned have taken active steps to provide legislative safeguards for the protection of children. All of that has, to a certain degree, reduced the harm that armed conflict causes children, and such steps should be affirmed.

But despite that progress in the protection of children in armed conflict, countless children continue to suffer from the effects of such conflict. The situation of encroachment upon children's rights by parties to armed conflicts has not improved a great deal. The international community must make sustained efforts to truly change the situation. In that connection, we agree that, in the context of the maintenance of international peace and security, the Security Council should intensify its efforts to prevent and curb conflicts and actively address the root causes of the phenomenon of child soldiers in order to achieve our goal of protecting children.

The United Nations should collect its experience in the area of protecting children during peacekeeping operations and give it special treatment so that future peacekeeping operations can benefit from that experience.

At the same time, all parties to armed conflicts should strive to meet their obligations under relevant international law and to respect and safeguard the

legitimate rights of children. Post-conflict reconstruction should solve the problem by prioritizing the return of children to their families, schools and communities and by providing sufficient resources to that end.

We appreciate the fact that the Special Representative of the Secretary-General, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and other United Nations agencies are playing an active role in protecting children in armed conflict. We agree that coordination and cooperation between the United Nations and the relevant regional organizations and among United Nations agencies should be strengthened. We must adopt an integrated strategy in joining efforts to help countries in conflict to increase their ability to protect children.

China will continue to work with the international community in making its due contribution to the protection of children.

The President (*spoke in French*): I thank the representative of China for his kind words addressed to me and to my country, Benin.

Ms. Loj (Denmark): Let me begin by thanking you, Sir, for your presence and for convening this meeting and thereby once again focusing the attention of the Security Council on the hardship and suffering of children in armed conflicts.

I would also like to express our gratitude to the Secretary-General for his latest annual report and to his Special Representative for Children and Armed Conflict, the United Nations Children's Fund, as well as other United Nations agencies that have assisted in preparing it.

Finally, I should like to associate my delegation with the statement to be delivered later in the debate by the Permanent Representative of Luxembourg on behalf of the European Union.

We all know that the issue of children and armed conflict is one of great complexity. A solution to the problem can be reached only by taking a comprehensive approach including legal, political, as well as socio-economic measures. We need to address the demand side of the equation by taking action against Governments and other entities that either recruit or force children to become armed combatants, but we also need to be cognizant of the supply side, particularly the close interlinkage between security and development.

Children affected by armed conflict must be provided with real alternatives to the harsh reality of war. It is consequently of key importance that all disarmament, demobilization and reintegration processes address the special needs of child soldiers. A long-term solution depends on the creation of incentives and possibilities for child soldiers, including the possibility to get education, vocational training and, in the end, real jobs.

The report of the Secretary-General is indeed sobering reading. As we speak, thousands of children in places like the Democratic Republic of the Congo, Darfur, northern Uganda and Sri Lanka are being forcibly recruited to participate in the killings of innocent people or are being killed themselves. Children are being raped or exposed to other kinds of grave sexual violence. Places where our children should feel safe, such as schools and hospitals, have become the targets of deliberate armed attacks and unspeakable atrocities.

It is clear that, in the absence of direct and firm national and international involvement in the solution to that multifaceted problem, anarchy, brutality and impunity will continue to reign. What immediate actions can the Council take to address the present deplorable situation regarding children in armed conflict? I would like to point to three areas.

First, as repeatedly reported by the Secretary-General to the Council, the situation of children in armed conflict around the world is not improving. On the contrary, impunity is widespread. Parties to a number of armed conflicts show no will to respect their international obligations either with regard to the norms of relevant legal instruments or to the decisions and repeated demands of the Security Council.

However, the credibility of the Security Council rests on its ability to follow up on its previous decisions and effectively to address the widespread impact of armed conflicts on children. For those reasons, we believe that the time has now come for the Security Council to take action.

In that respect, we note the recommendation of the Secretary-General that the Security Council should move to take targeted and concrete measures where insufficient or no progress has been made by parties

named in the lists annexed to the Secretary-General's report. What the exact nature of those measures should be and how they could most effectively be implemented are some of the issues which we look forward to discussing in more detail during the forthcoming deliberations of the Security Council on the draft resolution to follow this debate.

Secondly, as we move to consider targeted measures against the worst offenders, we must also ensure that we continue to receive systematic, reliable and accurate information on the situation on the ground. In that regard, we find it of key importance that the Security Council should endorse a mechanism to monitor and report on the use of child soldiers and on other violations committed against children affected by armed conflict.

The Council has repeatedly called for the establishment of a monitoring mechanism within the United Nations system and the Secretary-General has in his report accordingly provided the Council with an action plan for the setting-up of that urgently needed mechanism. Denmark will work to ensure that the final result is one that will be effective.

Parallel to the action plan, we must also make sure that the Security Council's earlier decisions on that issue are effectively implemented. More needs to be done in that field, including the designation of specific focal points in situations of armed conflict, enhanced dialogue with Governments and armed groups using child soldiers, and the development of concrete action plans at the national level to halt the recruitment and use of child soldiers.

Finally, I would like to point out that, while striving to find ways to effectively address the atrocities committed against children by parties to armed conflicts, we must not lose sight of the shortcomings of the international community's own efforts to protect children in war-torn societies.

A particularly grim experience in that regard is the serious allegations of sexual exploitation and abuse of women and children that has been made against United Nations peacekeeping personnel. Such abuse is a complete betrayal of the trust which the victims of war must always be able to place on those who come to protect them and support the peacebuilding process. Firm measures and a policy of zero tolerance are needed to prevent and put an end to all sexual exploitation and abuse by United Nations peacekeeping personnel. Those who have perpetrated such conduct must face disciplinary and criminal prosecution. Denmark is confident that the Secretary-General will continue to take the appropriate steps needed to address the problem.

Much more could be said, but let me conclude by reiterating that the time has come for the Security Council to act. A monitoring and reporting mechanism should be endorsed and the Council should move to take targeted and concrete measures pursuant to the recommendations of the Security General. It is time for the Security Council to take action to reverse the deplorable situation of an increasing number of children worldwide trapped in the midst of armed conflict.

The President (*spoke in French*): I thank the representative of Denmark for her kind words addressed to me and to my country, Benin.

Mr. Rogachev (Russian Federation) (*spoke in Russian*): We are gratified, Sir, that you have decided to personally take part in today's open debate of the Security Council, convened on the initiative of Benin, on this important question. We welcome the report of the Secretary-General prepared for this meeting of the Security Council, and we would like to touch on several points that, in our view, are of paramount importance — above all, the problem of the use of child soldiers by various non-State armed groups. We firmly condemn the recruitment of child soldiers and believe that the perpetrators must be brought to justice.

One should also bear in mind not only the involvement of children in armed conflict but also the efforts that will be needed in future to rehabilitate and reintegrate them in order to prevent minors from becoming anti-social members of society. There are fears that a child traumatized by war, a child who knows nothing other than hatred and violence, may not be prepared to live normally, in conditions of peace and legality. For those reasons, we support the efforts of the Secretary-General to identify those parties to armed conflicts that continue the pernicious practice of using child combatants.

In that connection, it is necessary to determine our position as to the legally correct interpretation of the mandate of the Special Representative of the Secretary-General, in order to avoid any broadening of its interpretation. It is important also that efforts in

that area be appropriately coordinated to avoid redundancies.

It must be underscored that all the efforts of the international community will be in vain without the active involvement of national Governments, which bear the primary responsibility for addressing the entire range of problems related to safeguarding and protecting the rights of children. We share the view expressed in the report that it is key to take into account the child factor in the mandates of peacekeeping missions, particularly with respect to the establishment of child protection adviser posts and to ensuring access for humanitarian agencies to zones of conflict, separating civilians from combatants, and maintaining the civilian nature of facilities accommodating refugees and internally displaced persons.

General policy support in the implementation of all these tasks should be provided by the Security Council, with a key role being played by the Special Representative of the Secretary-General on Children and Armed Conflict, in particular with respect to assisting in the establishment and coordination of activities linked to child-related monitoring mechanisms and better targeting of outreach, advocacy and in-country work.

The President (*spoke in French*): I thank the representative of the Russian Federation for the kind words he addressed to me and to my country, Benin.

Mr. Sardenberg (Brazil): I should like to thank you, Mr. President, for the initiative of convening this debate on the situation of child soldiers. The delegation of Brazil highly appreciates your presiding over this meeting, as it demonstrates Benin's commitment and contributes to endowing the matter before us with the required political relevance and urgency.

I wish also to thank the Secretary-General, Mr. Kofi Annan, for his fifth report on children and armed conflict, which serves as a basis for our deliberations.

The situation of children affected by armed conflict has grave consequences for the international peace and security agenda. Violations committed against children by armed groups — not just recruitment but other egregious violations as well — seriously compromise the prospects of war-torn countries. In Africa in particular, the situation of children affected by armed conflict is extremely serious and poses a serious challenge that should be met.

Since the Graça Machel report of 1996, a landmark in this area, the need to take action has been receiving growing international recognition. We appreciate the work done by the Special Representative of the Secretary-General, Mr. Olara Otunnu, and his Office, to raise awareness of this issue and to help develop a body of norms for the treatment of children affected by armed conflict.

Given the prominence of the issue, the next step, as the Secretary-General indicates in his report, is to take effective measures in order to ensure "the era of application".

Positive developments are currently under way, such as the gradual integration of children affected by armed conflict issues in peacekeeping [illegible], for which the inclusion of child protection advisers in peacekeeping operations has proved useful. The development of disarmament, demobilization and reintegration programmes that take into account the specific needs of children, as encouraged by the Secretary-General in his report, is also promising.

However, the response of the United Nations system to the situation will need significant improvement in order to ensure that the era of application becomes a reality. Given the diversity of actors involved, which all of us are familiar with, responsibilities must be assigned, and better systematization is required.

Keeping in mind the proposals contained in the Secretary-General's report, Brazil supports enhancing the efficiency of the United Nations system in gathering, compiling and vetting information on violations, in partnership with national Governments and civil society. In addition, great care will be needed in order to ensure the homogeneous application around the world of any measures to be adopted by the Council in that area.

It is essential to obtain precise and reliable information on the situation of children affected by armed conflict. We also appreciate the recognition in the report of the many "destinations for action" which may make use of the information compiled and exert their influence in order to hold violators accountable.

The Security Council must continue to demonstrate its political will, but, while remaining seized of this issue, the Council must also recognize the essential roles of and collaborate closely with other destinations for action such as the General Assembly and the Economic and Social Council, equipped as they are to respond to the social and economic dimensions of this complex issue.

The International Criminal Court (ICC), as indicated in the report, can also play a decisive role in deterring violations against children in the context of armed conflicts. If the ICC is provided with access to reliable information, its capacity to fulfil its mandate to prosecute those responsible for such war crimes would be greatly enhanced.

Brazil is fully committed to the cause of promoting and protecting the rights of the child in general, and we are determined to furthering, in the Security Council, the agenda of protection for children affected by armed conflict. Indeed, life and security for children everywhere is a key goal for Brazil. It is unacceptable that violations of the rights of children should continue to undermine the future of nations. The Council should work to find long-lasting solutions to this grievous situation by contributing towards ending impunity for violators of the rights of children in conflict situations.

The President (*spoke in French*): I thank the representative for the kind words he addressed to me and to my country, Benin.

Mr. Mayoral (Argentina) (*spoke in Spanish*): My delegation would like at the outset to thank the Government of Benin for having taken the initiative to convene this open debate on children and armed conflict. I am very pleased to see also that the Minister for Foreign Affairs of Benin is presiding over our work, and we are sure that this will be a great opportunity to enrich the work of the Council on this subject.

Likewise, I should also like to thank the Special Representative of the Secretary-General, Mr. Otunnu, for his statement, as well as the Secretary-General for his fifth report on children and armed conflict, which will, without a doubt, form the basis for the major part of our deliberations.

In August 1999, through resolution 1261 (1999), the Security Council strongly condemned the targeting of children in situations of armed conflict, including their killing and maiming, sexual violence, abduction and forced displacement and the recruiting and use of children in armed conflicts in violation of international law.

Since resolution 1261 (1999), the Council has reiterated its condemnation of attacks deliberately aimed at children in situations of armed conflict through the adoption of several resolutions resulting from constant work that seeks to put an end to one of the most flagrant violations of human rights — the violation of the most vulnerable.

In 2001, in resolution 1379 (2001) the Council requested the Secretary-General to attach to his annual report a list of the parties in armed conflicts that recruit or use children in violation of international obligations in situations that are on the agenda of the Council or that may be brought to the attention of the Council by the Secretary-General because, in his opinion, they may threaten the maintenance of international peace and security.

Last year, through the adoption of resolution 1539 (2004) the Council took a further step towards the implementation phase when it asked the Secretary-General to devise urgently an action plan for a systematic monitoring and reporting mechanism in order to provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers in violation of international law. Likewise, the Council expressed its intention to consider imposing targeted and graduated measures against parties to a conflict that refuse to enter into dialogue, fail to develop an action plan or fail to meet their commitments.

While the Security Council made progress in formulating rules of protection that were more and more action-oriented, the Office of the Special Representative of the Secretary-General for Children and Armed Conflicts was also developing important advocacy work to ensure that the issue of children and armed conflicts became increasingly visible and was permanently placed on the agenda of the international community.

At the same time, we have seen significant collaboration between UNICEF and other entities of the United Nations system, Governments, regional organizations and non-governmental organizations in order to transform protection into concrete initiatives.

Results of this collective effort include, for example, the incorporation of the protection of children in the mandates and training programmes for peacekeeping operations, as well as in programmes of the principal regional organizations; the development of various protection initiatives at the local level; the integration of the interests of children in conflict situations into peace negotiations, peace agreements and rehabilitation and post-conflict reconstruction programmes; and the deployment of advisers on protection of children in the United Nations peacekeeping operations.

With regard to peacekeeping operations, I would like to express the firm condemnation of my country with regard to the sexual abuses committed by civilian and military staff in the Democratic Republic of the Congo who were there as part of a peacekeeping operation sent by this Council. While that action should be condemned, it is an exception, bearing in mind the great number of peacekeeping operations that are in the field, but we feel that these acts must not be silenced. We call for maximum punishment for those guilty of those violations of human rights against innocent victims, the great majority of whom are girls and boys. We support the zero-tolerance policy recommended by the Secretary-General to deal with those acts.

We agree with the Secretary-General when he affirms, in his report, that the situation of children on the ground remains grave and unacceptable. On the one hand, clear rules of protection have been developed and there are concrete initiatives, but on the other, atrocities against children in conflict zones have not decreased.

In that regard, my delegation feels that the presentation by the Secretary-General of an action plan for a systematic monitoring and reporting mechanism, in accordance to the request made in resolution 1539 (2004), constitutes a step forward towards the implementation phase that we must seek.

We must be careful in the definition of the scope of implementation of the action plan proposed by the Secretary-General. The categorization of violations that can be monitored that appears in paragraph 68 of the report may vary according to each particular situation, creating a certain grade of uncertainty in reference to the scope of implementation of the mechanism.

The process of gathering, examining and compiling information must be as accurate and reliable as possible if at the end of the day we hope to assign responsibility.

Argentina understands that the Security Council holds a special responsibility in the protection of children in armed conflicts because of its close connection with the maintenance of international peace and security. However, we feel that there should be better coordination in addressing this subject between the Council and the General Assembly on one hand, and between this Council and the Economic and Social Council on the other, in conformity with Article 65 of the Charter. In particular, it is interesting to us that the General Assembly could consider the possibility of having a draft resolution on the follow-up and fulfilment of the provisions regarding children and armed conflicts within the framework of the item entitled "Promotion and protection of the rights of children". As regards the Economic and Social Council, we should explore the proposal of dedicating high-level sessions to the examination of the issue of children and armed conflicts.

We believe that the establishment of the International Criminal Court is a fundamental step as much for its dissuasive function as for the possibility of bringing to justice those who commit war crimes against children. Perhaps in the future the mechanism being proposed to us might contribute to this Tribunal, giving it the available information.

Finally, we believe that it is fundamental that the organs in the United Nations that compose the system for the protection of human rights incorporate the issue of children and armed conflicts in their respective agendas.

In conclusion, I would like to express the willingness of my delegation to continue working seriously on a draft resolution that embraces the aspirations of the international community and allows us to make a difference through its implementation.

The President (*spoke in French*): I thank the representative of Argentina for his kind words addressed to me and to my country, Benin.

I give the floor to the representative of Algeria.

Mr. Benmehidi (Algeria) (*spoke in French*): It is a great pleasure for me to welcome you, Mr. President, and tell you how honoured we are to have you

presiding over our work and enhancing by your presence the Security Council's examination of this important question of children and armed conflict, which is closely linked to the maintenance of international peace and security.

We would like to welcome the ministers that have joined us in this meeting. We thank the Secretary-General for his report and his Special Representative, Mr. Olara Otunnu, for the firm and unequivocal support for finding urgent and sustainable solutions to the tragedy of child soldiers and for putting an end to that shameful, degrading and revolting practice. Finally, I would like to thank the representatives of the Economic Community of West African States (ECOWAS) and UNICEF for their important statements.

The report that has been submitted to us marks a new stage in our common quest to see norms for protecting children in armed conflict situations effectively applied.

The action plan for setting up a monitoring an reporting mechanism proposed by the Secretary-General presages a new era in monitoring the behaviour of parties in situations of armed conflict. It also allows the collective system for protecting children to utilize more binding means to stop the vicious spiral of using child soldiers. Even though there are differences with regard to the practical implementation of the action to be undertaken and with regard to the role of each of the entities intervening in the process, we feel that this plan has good chances of meeting with broad endorsement.

The debate today could become a timely opportunity to shed further light on the adoption of an ambitious but realistic draft resolution that Benin has submitted, and we would like to express our gratitude for that. We feel that this draft is an appropriate response to the alarm raised in 1996 by Graça Machel and should enable the international community to move beyond statements of intent towards action. The report of the Secretary-General shows that the phenomenon of child soldiers continues to afflict various regions of the world, Africa in particular, leading to generalized and unacceptable violations of law and morality. It is therefore imperative — and this implies a particular responsibility on the part of the Security Council — that all parties to conflicts honour their obligations and put an end to the enlistment of children.

We note, however, with some satisfaction that programmes of disarmament, demobilization and reintegration of children have been set up in situations of conflict and post-conflict. We encourage the integration of best practices in those programmes, as reported by the Secretary-General in part IV of his report. We also find relevant the measures proposed by the Secretary-General with a view to fighting illicit cross-border activities that harm children. We welcome the increasingly important role played by peacekeeping and peacebuilding missions in improving the protection of children. While we condemn the sexual exploitation of children that has been reported recently, my delegation welcomes the swift and appropriate reaction of the Secretary-General and of the troop-contributing countries to deal with those intolerable acts.

Better coordination between the United Nations and regional and subregional bodies would also seem to be the way to make the collective system of protection for children affected by armed conflict more effective. Africa, which has a charter on the rights of the child, has taken the problem in hand and remains open of course to any serious and coherent initiative that would be part of common efforts aimed at bringing an end to the phenomenon of child soldiers.

The problem of child soldiers is a complex one and in that respect it is important that the international community also address the deep-seated causes of those conflicts, which stem in the majority of cases from the absence of development, socio-economic inequalities, inter-ethnic rivalries, the denial of human rights, the illegal exploitation of natural resources, and from cross-border problems. Algeria will continue to provide its support to any measures aimed at bringing an end to the odious practice of using children in armed conflicts and we believe that the implementation of all action plans should conform to the universal rules of transparency, non-selectivity and objectivity.

In conclusion, my delegation would like to support the draft presidential statement prepared by the delegation of Benin.

The President (*spoke in French*): I thank the representative of Algeria for his kind words to me and to my country, Benin. I should now like to make a statement in my capacity as the Minister for Foreign Affairs and African Integration of Benin.

I thank the Council members for their kind words addressed to my country. My gratitude goes

particularly to my colleagues, the Ministers for Foreign Affairs, as well as others, who have come to New York to take active part in our thematic debate today, engaging in forward-looking brainstorming with respect to the situation of child soldiers, particularly in Africa, within the framework of the report of the Secretary-General on children and armed conflict.

The insertion of the situation of children affected by armed conflict on the Security Council's agenda in 1998 demonstrated the determination of the international community to put children and their security at the centre of action aimed at maintaining international peace and security. Genuine progress has been made to improve and strengthen the legal arsenal for protecting children — not only through the unwavering commitment of the Secretary-General and his Special Representative for Children and Armed Conflict, but also through the role played by United Nations missions and the United Nations Children's Fund, along with the invaluable contributions of other United Nations institutions, such as the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Population Fund, as well as national and international non-governmental organizations. We pay a well-deserved tribute to all of them here.

However, as seen in the latest, highly instructive report of the Secretary-General, which is before the Council today, this problem persists. We have seen a striking dichotomy between the strict international standards and the ongoing atrocities victimizing children affected by armed conflict, compounded by the impunity enjoyed by perpetrators of those violations of international law and humanitarian international law.

Beyond the intolerable practice of recruitment and use of children as soldiers, this report highlights a range of other serious abuses and major violations of children's rights, which pose a true challenge to the Security Council. That is why my country, Benin, has proposed forward-looking brainstorming on this subject. The aim here is to mobilize the international community towards resolute action in order to bring about an end to the practices we have condemned and to put an end to the impunity enjoyed to date by those who violate international standards in force in the area of protection of children in situations of armed conflict.

This also has to do with preventing violations and abuses and promoting the reintegration of war-affected children. In that respect, we fully endorse the recommendations of the Secretary-General aimed at implementing the relevant Council resolutions. We reiterate here the need to scrupulously implement the plan of action proposed by the Secretary-General in accordance with paragraph 2 of resolution 1539 (2004) to establish a monitoring and reporting mechanism, which is needed by the Council in order to ensure effective action to promote compliance with international standards.

Beyond establishing such a mechanism, which we believe is a top priority, and setting up ways to ensure appropriate use of the information gathered, we need to give specific attention to a number of key considerations that have to do with coordinated and effective action to promote the protection of children in situations of armed conflict. From this standpoint, the following three pillars of action deserve particular attention.

First, we need to identify weaknesses in international law in the area of the protection of children affected by war and to address those weaknesses. To that end, my country, Benin, proposes establishing an open-ended working group under the auspices of the General Assembly to study the issue of reclassifying the crime of recruiting and using child soldiers, with a view to treating it as a more serious crime.

Clearly, this means undertaking a negotiation process that would be aimed at achieving a consensus on the need to reclassify this phenomenon — currently considered as a war crime — as a crime against humanity in view of its disturbing recent evolution and the seriousness of the abuses seen in recent years, which you all have mentioned in your statements and which give this phenomenon some of the basic characteristics of a crime against humanity. To be sure, we have increasingly seen this in a context in which the parties involved pursue a targeted policy of widespread recruitment of children with the clear intent to dehumanize them and make them into war machines and true cannon fodder.

In addition, it is disturbing and revolting to note that the grim statistics on the victims of armed conflicts do not reflect the tens of thousands of children — soldiers or non-soldiers — who die

annually in situations of armed conflict. Those innocent victims — our hopes for tomorrow — die anonymously and through the guilty indifference of all.

That is why we ask the international community as a whole to work to make the standards of international law greater deterrents in order to defuse this time bomb that the abuses and violations perpetrated against children affected by situations of armed conflict represent for our societies. Benin, my country, adheres fully to international instruments that protect human rights. We invite the States that have not yet done so to accede to the Convention on the Rights of the Child. Benin has ratified the Convention and its Optional Protocols, including the Optional Protocol on the involvement of children in armed conflict, adopted by the General Assembly on 25 May 2000, and in addition made a binding statement setting the minimum age for recruitment into the armed forces at 18.

The second direction for action would be to develop a comprehensive and integrated transboundary strategy aimed at the recovery, rehabilitation, reinsertion and reintegration of child victims of violations and abuses related to war situations. To do that, we need to carry out a census of the children concerned, including those older than 18, and an assessment of institutional capacities at the international and domestic levels, of the legislative and regulatory framework at the national level and of the potential of civil society, including the private sector.

The monitoring and reporting mechanism to be created could be used by the United Nations to begin a survey aimed at identifying shelter facilities and assessing how well their capacities meet new specific needs in protecting war-affected children so that we can properly identify what resources should be mobilized to ensure the recovery, rehabilitation and reintegration or reinsertion of such children. International actors must support efforts undertaken at the local level and must support local grass-roots communities in order to strengthen traditional child protection norms. The establishment of child protection advisers at the local level must be expanded to all countries affected by this phenomenon.

The third direction that action should take would be to articulate at the regional level — particularly in the African region — a resolute policy that includes practical measures and specific programmes to solve the serious development problems that the phenomenon of child soldiers poses for the societies concerned, particularly African societies. In fact, if nothing is done today, child soldiers will be destabilizing elements for our States and for our young democracies. These child victims of armed conflict, who lack education or professional training and know only the language of weapons, will be a potential breeding ground for mercenaries, criminals and outlaws if the international community — particularly the Security Council — does not adopt strong measures to save this young generation, which our societies are in the process of losing.

Therefore, we recommend holding regional and subregional seminars to address the following issues: the link between the phenomenon of child soldiers and the continent's socio-economic problems, such as poverty and unemployment; the adaptation of bilateral and multilateral assistance programmes to the specific needs of child soldiers; the specific needs of girl soldiers, who are often given very little attention in the context of official disarmament, demobilization and reintegration programmes; the establishment by the countries concerned of national focal points for child soldiers and other conflict-affected children to better coordinate financing at the subregional and interregional levels; and, finally, the elaboration and implementation of specialized educational and training programmes, with international assistance, for children affected by conflict situations.

My country, Benin, faithful to its political choice to resolutely combat the phenomenon of child soldiers, will host in Cotonou, during the week of 13 to 17 June 2005, a conference of Ministers for Foreign Affairs of the Economic Community of West African States (ECOWAS) to assess the role played by national Governments and ECOWAS in protecting war-affected children. We chose that week because 17 June each year is dedicated to the African child. In that context, we would like to appeal to members of the Council, the United Nations system, our bilateral and multilateral partners and non-governmental organizations to support us in our efforts to organize, hold, follow up and implement the outcome of the conference, which will be along the lines of this public debate.

For us, today's debate is a point of departure for a new impetus in mobilizing the international community to ensure better protection for children in armed conflict and to make significant progress in combating the atrocities of which they are victims. To accomplish

that, we must adopt a draft resolution as soon as possible to operationalize the monitoring and reporting mechanism. To that end, we have before us a plan of action to establish the mechanism, and we must institute it in order to give ourselves the appropriate tools to enable us to effectively undertake the implementation phase described in the Secretary-General's report.

I now resume my functions as President of the Security Council.

As there are still a number of speakers inscribed on my list, and in view of the lateness of the hour, I propose, with the concurrence of members of the Council, to suspend the meeting until 3.15 p.m.

The meeting was suspended at 1.40 p.m.

United Nations S/PV.5129 (Resumption 1)

Security Council

Sixtieth year

Provisional

5129th meeting

Wednesday, 23 February 2005, 3.15 p.m.
New York

President:	Mr. Biaou	(Benin)
Members:	Algeria	Mr. Katti
	Argentina	Mr. Garcia Moritan
	Brazil	Mr. Cardoso
	China	Mr. Cheng Jingye
	Denmark	Mr. Rehfeld
	France	Mr. Wiltzer
	Greece	Mr. Daratzikis
	Japan	Mr. Shimamori
	Philippines	Ms. Taguiang
	Romania	Mr. Stamate
	Russian Federation	Mr. Rogachev
	United Kingdom of Great Britain and Northern Ireland	Mr. Schultz
	United Republic of Tanzania	Mrs. Kafanabo
	United States of America	Mr. Olson

Agenda

Children and armed conflict

Report of the Secretary-General on children and armed conflict (S/2005/72)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-24690 (E)

The meeting resumed at 3.35 p.m.

The President (*spoke in French*): I should like to inform the members of the Council that I have received letters from the representatives of Indonesia, Mali and Niger, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): I should like to remind all speakers of what I stated during this morning's meeting, namely, that they should limit their statements to no more than five minutes, in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate their texts in writing and to deliver a condensed version when speaking in the Chamber.

I will also not individually invite speakers to take seats at the Council table or invite them to resume their seats at the side of the Council Chamber. When a speaker takes the floor the Conference Officer will seat the next speaker on my list at the table. I thank participants for their understanding and cooperation.

The next speaker inscribed on my list is the representative of Luxembourg, on whom I now call.

Mr. Hoscheit (Luxembourg) (*spoke in French*): I have the honour to speak on behalf of the European Union. The acceding countries, Bulgaria, Romania and Turkey, the countries of the Stabilization and Association Process and the potential candidates, Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro align themselves with this statement.

I thank you, Mr. President, for the opportunity you have given us to debate the important issue of children in armed conflict. I also wish to pay tribute to Mr. Olara Otunnu, Under-Secretary-General and Special Representative of the Secretary-General, as well as to Ms. Rima Salah, Deputy Executive Director of the United Nations Children's Fund (UNICEF), for their briefings and their commendable work. I would like also to thank other key players who have contributed to progress on this important subject.

It is absolutely fitting that the Security Council has once again taken up the issue of children in armed conflict. Despite the welcome news that the estimated number of child soldiers has declined from 380,000 to 300,000 in the last 18 months, a disturbing gap remains between the standards and the initiatives developed for the protection of children, on the one hand, and the atrocities that continue to be perpetrated against children by parties to armed conflicts, on the other. Those atrocities must end.

While the European Union welcomes the adoption of resolution 1539 (2004), in April 2004, it also notes that the goals set by the United Nations have not yet been adequately met. In that context, the European Union welcomes the report (S/2005/72) of the Secretary-General on children and armed conflict of 9 February 2005, which identifies persisting shortcomings and proposes remedies.

The European Union agrees that it is important and urgent to establish a systematic and comprehensive monitoring, reporting and compliance mechanism to provide systematic, reliable and accurate information on child rights violations in situations of armed conflict using the experience of United Nations peacekeeping missions and country teams. In that context, the European Union encourages all relevant United Nations actors, and in particular UNICEF, as well as non-governmental organizations (NGOs), to continue their coordinated efforts to ensure both systematic monitoring and reporting of violations and preventive and rehabilitating action to assist child victims of armed conflict. Furthermore, with regard to monitoring and reporting processes, the European Union would like to stress the need for particular emphasis on the situation of girls, on gender-based violence and on humanitarian access to children.

As contemplated in the Secretary-General's report, the European Union supports the mainstreaming of child-specific best practices in disarmament, demobilization and reintegration programmes at every stage of the work of the United Nations. It also calls for more effective rehabilitation and reintegration of

children associated with armed groups back into their communities. The Union is concerned by the negative side-effects of illicit cross-border activities on children in armed conflict. The abduction and recruitment of children, trafficking in small arms and light weapons and the illicit exploitation of natural resources often go together and reinforce each other.

In accordance with resolutions 1379 (2001), 1460 (2003) and 1539 (2004) and in view of the widespread and unacceptable pattern of violations recorded in the Secretary-General's report of 2005, the European Union believes that the Security Council should take appropriate measures against the parties listed in the annexes to the report, who are guilty of persistent violations and have not taken steps to end those violations. In addition to the information concerning the recruitment and use of children in armed conflict, the European Union welcomes the inclusion this year of other violations and abuses committed against children in the lists annexed to the report. The European Union urges States and other parties to armed conflict listed in annexes I and II of the Secretary-General's latest report to immediately stop the recruitment and use of girls and boys in situations of armed conflict and to end the violation of their obligations flowing from international humanitarian and human rights law.

In addition to violations perpetrated against children in situations of armed conflict, the European Union is also gravely concerned about allegations of abhorrent sexual misconduct by United Nations peacekeeping personnel. Although the European Union welcomes the ongoing investigation, it urges a prompt review of this very serious problem and requests the Secretary-General and troop-contributing countries to strictly enforce the standards contained in the Secretary General's bulletin on special measures to prevent sexual violence and the exploitation of children, as well as to ensure that perpetrators of such abuses are properly brought to justice.

The European Union fully subscribes to the views and recommendations of the Secretary-General with respect to the role of the International Criminal Court (ICC), because of its deterrent effect and the possibilities it offers for the prosecution of war crimes, including crimes against children. The European Union stresses the importance of putting an immediate end to impunity. In that context, we urge States to accelerate the process of ratification or accession to the Rome Statute of the International Criminal Court, which contains an important provision classifying the conscription or enlistment of children under the age of 15 as a war crime. The European Union also urges States that have not done so to accede to the Convention on the Rights of the Child as a matter of priority, and to sign and ratify the Optional Protocol to the Convention on the involvement of children in armed conflict.

For its part, the European Union is determined to continue its work to raise awareness about the plight of children affected by armed conflict and to intensify its efforts to address the issue in an effective and comprehensive manner. In December 2003, the Union adopted guidelines on children in armed conflict, following consultations with the Special Representative of the Secretary-General, UNICEF and NGOs active in this area. Armed with a clear plan of action, the European Union carried out a range of political, diplomatic and financial initiatives during the past year.

First, we have instituted a system of reporting by European Union heads of mission in affected countries, drawing on the list of countries where parties to armed conflict have been censured by the Security Council for their recruitment and use of children. The reports pay particular attention to the need to have a clear picture not only of the recruitment of child soldiers, but also of attacks against schools and hospitals, the blockage of humanitarian access, sexual and gender-based violence against children, and abduction.

Secondly, reporting and analysis have been accompanied by recommendations for action, such as enhanced funding of relevant programmes and demarches. European Union special representatives, including in the Great Lakes region of Africa, have been tasked with paying full attention to the issue when executing their mandates.

Thirdly, in cooperation with UNICEF, the European Union has launched a children's rights training programme for Union officials and the issue has also been introduced in training activities related to the European Security and Defence Policy and crisis management.

Finally, as children are a particularly vulnerable group in humanitarian crises, they have been a priority of the European Union's humanitarian aid policy for several years. The Humanitarian Aid Department has

financed projects on child-related activities, such as therapeutic feeding, vaccination, primary education and the reintegration of child soldiers, for a total of €37 million in 2004.

The Plan of Action recently adopted by the European Union is meant to further reinforce the implementation of its Guidelines on Children and Armed Conflict through political and practical Union involvement on the ground and a better use of the wide range of tools at our disposal. The Plan of Action intends to match technical assistance with political action by identifying gaps and possibilities for increased cooperation on those issues. As a first step, three focus countries have been identified for pilot projects: Uganda, Sierra Leone and Sri Lanka.

The European Union agrees that the main challenges identified in the Secretary-General's report — such as the establishment of an effective monitoring, reporting and compliance mechanism; the need to impose appropriate measures where insufficient or no progress has been made; and the necessity for collective action at the national, regional and international levels — need to be addressed urgently. The Security Council has begun negotiations on a new draft resolution, which we hope will adequately deal with those issues.

Let me conclude by underlining that the European Union stands ready to continue to work closely with the United Nations system, including the Office of the Special Representative, UNICEF, the Office of the United Nations High Commissioner for Refugees, and the Office of the United Nations High Commissioner for Human Rights, as well as with national and regional organizations, non-governmental organizations and civil society, to ensure coherence and effectiveness in our efforts to relieve the suffering of children in armed conflicts and that those responsible for atrocities against children are held accountable for their crimes. The European Union will continue to play its part in trying to make the implementation phase a reality on the ground as a way to bridge the existing gap between norms and action.

The President (*spoke in French*): I thank the representative of Luxembourg for his kind words addressed to me and to my country, Benin.

I now call on the representative of Nigeria.

Mr. Adekanye (Nigeria): I have the honour of conveying to you, Sir, the sincere appreciation of the Nigerian Foreign Minister, Ambassador Olu Adeniji, for the invitation extended to him to participate in this open debate on children and armed conflict. Ambassador Adeniji could not make the trip to New York, but has asked me to convey his best wishes for a fruitful outcome.

We are indeed grateful to the Republic of Benin for initiating this debate, which is both timely and necessary, as it will afford us an opportunity to focus attention on the urgent steps needed to prevent children from being used as instruments of war.

We thank the Secretary-General for his in-depth report and the Under-Secretary-General and Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu, for his continuing efforts to articulate a workable proposal for a monitoring, reporting and compliance mechanism for children and armed conflict. His insightful statement to the Council this morning set an appropriate tone for addressing the challenges before the international community on that important subject.

In spite of international conventions and protocols that guarantee the safety and protection of children in armed conflict, as well as those that guarantee the rights of the child, innocent children are daily being dragged into the quagmire of armed conflict, with its terrible consequences.

Children are paying heavy tolls for causes they know nothing about and are made pawns in dangerous struggles for political power and control of resources with no regard for their well-being. Although children do not start wars, they are most vulnerable to its deadly effects. They suffer loss of their childhood and become objects of adult manipulation and exploitation. Children are, in most cases of armed conflict, the first victims and the ones most likely to suffer loss of loved ones, abduction, injury, death or sexual exploitation — girls in particular. Furthermore, children are made orphans and, at an early and unprepared age, assume responsibility as heads of families.

Nigeria believes that a fundamental requirement for ending the involvement of children, as well as preventing them from being exploited in situations of armed conflict, is the prevention of conflict. Conflicts do not occur in a vacuum, but are oftentimes the product of an inability to redress, by dialogue and other

means, real or perceived injustices, including economic, social and political exclusion, and marginalization or discrimination based on racial, ethnic, religious or political affiliations.

It is important therefore to identify and tackle head on the root causes of conflict and to deny its perpetrators access to the instruments of war, such as small arms and light weapons, which those children are forced to carry. In that connection, my delegation reiterates its conviction that conflict prevention and resolution strategies must be sincere and comprehensive. They must include a willingness and a capability to take bold and concrete political actions that will lead to the removal of real or perceived injustices.

Nigeria has closely coordinated efforts with like-minded States to meet the challenges posed by conflicts in the West African subregion, in particular, and Africa in general. I wish to mention in that regard significant initiatives among States members of the Economic Community of West African States, which are already yielding positive results. I should also refer to the efforts towards peace and accommodation in Darfur that resulted in the Abuja agreement.

President Obasanjo has made conflict resolution in Africa one of the cardinal foreign policy objectives of the Federal Republic of Nigeria, mindful of the fact that Africa can neither achieve the Millennium Development Goals nor attain the lofty social development targets set by the World Summit for Social Development in Copenhagen 10 years ago — and renewed only last week at the forty-third session of the Commission for Social Development — unless there is peace, stability and security in our continent. There is a need for increased international cooperation in support of those efforts. There is also a need to strengthen coordination with the African Union in resolving the diverse conflicts in Africa. Above all, we also call on the international community to provide assistance to those countries emerging from conflict to enable them to rebuild their shattered economies and infrastructure.

It is equally essential that the efforts of the international community be geared towards strengthening the rule of law at the international, regional and national levels, and, within that context, towards the protection of children through appropriate mechanisms for monitoring, reporting and enforcing compliance, including through constitutional, legislative, judicial and multisectoral means.

We must put children first — before, during and after conflict. A stop must be put to the recruitment of child soldiers. It is also important to strengthen the protective environment by encouraging countries to ratify and apply treaties that aim to protect children from the physical and emotional trauma of war. On its part, Nigeria has not only ratified and fully incorporated the Convention on the Rights of the Child into its domestic legislation, but it has also strengthened the domestic environment by enacting, in 2003, the Child Rights Act as well as the Trafficking in Persons Prohibition Law Enforcement and Administration Act. Those laws should protect our children and promote their rights.

Urgent action should be taken to totally eradicate, in all its forms and manifestations, the culture of impunity, and, as a follow-up, to bring to justice perpetrators of violence against children, including those who abduct, recruit or conscript children into armed forces.

It is also necessary to improve the monitoring and reporting of child rights violations and to pay greater attention to demobilization and reintegration programmes, including those aimed particularly at girls seriously affected by conflict, and engaging in special and accelerated educational programmes, such as free and compulsory education for child victims of war. There should be continued efforts made to mainstream child protection into United Nations regional and national peacekeeping operations.

My delegation is confident that, working together in an open and transparent manner, in a true spirit of cooperation, with all stakeholders — including the United Nations, regional organizations, State and non-State actors — we can reduce the need for recourse to conflict and thus prevent children from being made instruments and victims of armed conflict. Thus we will have succeeded in creating a world that is truly fit for children.

The President (*spoke in French*): I thank the representative of Nigeria for the kind words he addressed to me and to my country, Benin.

The next speaker on my list is the representative of Myanmar, to whom I give the floor.

Mr. Swe (Myanmar): Mr. President, I wish to congratulate you for holding this open debate on children and armed conflict. Given the gravity of the situation, as described by the Special Representative, Mr. Otunnu, in his moving statement, I believe that today's debate is indeed timely.

The Secretary-General's report has provided us with a useful basis for our deliberations. The report rightfully gives detailed information on compliance and progress regarding situations on the agenda of the Security Council. These are also situations that have a direct impact on peace and security — matters for which the Security Council has primary responsibility.

Like others, we are deeply concerned by accounts in the report of sexual abuse by United Nations peacekeepers. We also share the concern regarding the report's suggestion of initiating direct contact by United Nations actors with non-State actors. While this may be useful in some situations, the general application of this in all situations, would, in our view, be counter-productive.

We are glad to see that, in preparation for this year's report, the Special Representative of the Secretary-General had held a number of briefings and had also made himself available and responded to the queries of Permanent Missions, for which we are grateful. We regret, however, that no real consultations took place with those Member States which are not in the Security Council.

We are also dismayed that the report continues to retain a high degree of selectivity and double standards.

It is widely known and accepted that insurgent groups in Myanmar extensively recruit and use child soldiers. The Government, on the other hand, has been taking measures not only to prevent children from being recruited into the insurgent groups but also to ensure that no under-age children are recruited into the Tatmadaw, the Myanmar Armed Forces. Tatmadaw is an all-volunteer army, and the minimum age requirement for recruitment is 18 years. The Government is taking effective measures so that no one below that age is recruited into the military. To that end, a high-level Committee for the Prevention of Military Recruitment for Under-age Children was established. Stringent monitoring is carried out, both at the recruitment stage and again at the training stage. Applicants who do not meet the minimum age requirement are turned away at the recruitment stage. Additionally, those who are found to be under 18 at the training stage are discharged from the military.

To ensure transparency, and in a spirit of cooperation, the Government arranged a visit by the Resident Coordinator and a representative of the United Nations Children's Fund (UNICEF) to the two main recruitment centres in Yangon and Mandalay, and they were able to interact freely with the recruits.

The Government, of its own volition, has drawn up an action plan which includes the protection of children's rights, preventive measures, promoting public awareness and coordination with UNICEF. The action plan also incorporates provisions for the discharge of children under 18 from military service and for their reintegration into their families and communities. The United Nations country team has duly reported these positive developments, and, as the Special Representative himself has acknowledged, they had recommended that Tatmadaw Kyi be taken out of annex II. I appreciate the fact that these positive remarks were also mentioned by a number of delegations this morning.

The report, however, not only retained Tatmadaw Kyi in annex II, but also lumped Government armed forces together with insurgent groups as recruiting and using children, citing reports from embassies and non-governmental organizations (NGOs) — the only instance in the report where embassies and NGOs are quoted as a source. We are also sorry to witness a degree of politicization and double standards in deciding on inclusion and exclusion from the list under annex II.

We all know the difficulty that last year's report created in the adoption of resolution 1539 (2004). But a report of the Secretary-General that comes before the Security Council, particularly in an era of application, must be based on information that is verified, and it must have credibility and, above all, objectivity. The report should not be tailored to the envisaged resolution.

On the question of the resolution, it is our strongly held view that any resolution that is contemplated should be focussed on situations that affect peace and security — situations that for that very reason are on the agenda of the Security Council. Such a resolution should encourage and take a cooperative approach towards those parties that have taken

effective measures to address the issues in cooperation with the United Nations. We hope also that such a resolution would avoid duplications and redundancies.

Myanmar has managed to put an end to armed conflict and to bring peace and stability to the country. This has enabled us to better promote and protect the rights of our children. My Government will resolutely continue in this important endeavour.

The President (*spoke in French*): I thank the representative of Myanmar for the kind words he addressed to me and to my country, Benin.

The next speaker on my list is the representative of Iceland, to whom I give the floor.

Mr. Hannesson (Iceland): Iceland welcomes the Security Council's decision to deliberate on the important issue of children and armed conflict. We are especially pleased to see you here at this meeting, Mr. Foreign Minister.

We would also like to thank the Special Representative of the Secretary-General for Children and Armed Conflict for his briefing and the representatives of the United Nations Children's Fund (UNICEF) and of the Economic Community of West African States (ECOWAS) for their statements.

The impact of armed conflict on children has, fortunately, been given greater attention by the international community in recent years. The ground-breaking study done in 1996 laid the foundation for United Nations consideration of this matter. The report concluded, for example, that, first, the nature of intra-State conflict has drawn civilians, including children, to the forefront of battles, and that children thus constitute a high proportion of the victims of war; secondly, children are being deliberately recruited as combatants; thirdly, armed conflict leads to a breakdown in the family support systems so essential to a child's survival and development; fourthly, Government and community support systems collapse; fifthly, children remain disproportionately exposed to the dangers of landmines; and sixthly, during armed conflicts there is a heightened risk of rape, sexual abuse and violence, prostitution and other forms of gender-based violence.

The authors of the report presented us with disturbing and often shocking reading, and called for action. Some tangible results have been made in the course of recent years, as outlined in the report of the Secretary-General (S/2005/72), dated 9 February 2005. There is increased awareness, norms have been put in place and protection of war-affected children has been placed on the international peace and security agenda.

In this context, we acknowledge the valuable work of the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Otunnu. Various organizations and entities of the United Nations, such as UNICEF and the Department of Peacekeeping Operations, have also been pivotal in advancing the protection of children associated with armed conflict. Many non-governmental organizations have also played a vital role.

Despite the advances made, the report of the Secretary-General also clearly outlines our failures. The report records "widespread and unacceptable patterns of violations" (*S/2005/72, para. 57*) against children. Armed groups that recruit and use children in armed conflicts are named.

During last year's open debate in the Security Council on this issue, there was unanimous support for establishing a monitoring and reporting system. Indeed, the Security Council requested the Secretary-General to devise an action plan to that effect. But, as the Special Representative pointed out in that debate, the monitoring and reporting system "is of little value ... unless the information compiled can serve as triggers for action" (*S/PV.4898, p. 3*).

The Secretary-General's proposed action plan provides a basis for concerted action by the Security Council, the International Criminal Court, the Commission on Human Rights and regional organizations, triggered by monitoring reports. The Security Council should be a leader in that process.

Iceland supports the recommendation by the Secretary-General to the Security Council to take measures, such as imposing travel restrictions on certain leaders, the imposition of arms embargoes, a ban on military assistance and restrictions on the flow of financial resources to the parties.

We fully agree with the recommendations contained in the Secretary-General's report concerning the role of the International Criminal Court. Concrete steps should be taken to ensure prosecution of persons responsible for war crimes against children.

As regards the role of regional and subregional organizations, Iceland has actively contributed to the

activities of the Organization for Security and Cooperation in Europe (OSCE) in its effort to combat trafficking in human beings. As we know, women and children constitute the majority of such victims.

The high — and increasing — number of allegations of sexual exploitation and abuse of local women and children by United Nations peacekeeping personnel around the world, most recently, in the Democratic Republic of the Congo, demonstrate an urgent need to review current methods in addressing this problem across all peacekeeping operations. United Nations peacekeeping forces contribute courageously in their thousands around the world. It is, however, vital that they not become part of the problem. The ramifications of such sexual misconduct, both for the victims and the international community at large, will be extensive and long-term, and will require disproportionate efforts to counteract.

In conclusion, we hope that this debate and the report of the Secretary-General will culminate in an action-oriented resolution by the Security Council that could serve as an effective mechanism in an "era of application" of the internationally agreed norms and standards for the protection of children in armed conflict.

The President (*spoke in French*): I thank the representative of Iceland for the kind words he addressed to me and to my country.

The next speaker is the representative of Canada, on whom I now call.

Mr. Rock (Canada) (*spoke in French*): Canada welcomes this open debate on children and armed conflict, which provides an important opportunity to advance the normative framework for action and its effective implementation.

It is our duty to protect children in war-torn and post-conflict societies. To fulfil that obligation we require the support and the cooperation of the entire international community. The Security Council also has a central role to play in that regard.

Every day the rights and well-being of children are violated aggressively, despite the multitude of international legal instruments which are supposed to protect them, and despite the existence of a solid programme to prevent the involvement of children in armed conflict. The actors concerned at all levels must make progress in order to prevent violations of the rights of children or to respond to such violations.

(*spoke in English*)

It is for that reason that Canada welcomes the Special Representative of the Secretary-General's call for an "era of application" to pursue the practical and daily implementation of the norms already adopted. As noted by the Secretary-General, important progress has been made in terms of advocacy and in terms of norm development. We must now pass to the next stage: to the effective implementation and assessment of those efforts, in order to ensure concrete changes in countries heading towards, or emerging from, crises where children are at risk.

We welcome the analysis that has been provided on specific situations in the Secretary-General's report (S/2005/72), and we remain concerned about the lack of commitment and progress demonstrated by armed groups, particularly those places such as in northern Uganda, Sri Lanka and Nepal. The inclusion of reporting on all abuses against children is an important development and helps to provide a more comprehensive picture of violations and of efforts by Governments, armed actors and United Nations country teams to respond.

We remain deeply preoccupied by the continued evidence of sexual exploitation and abuse of girls and boys, including by United Nations peacekeeping personnel, aid workers and other international actors. Zero tolerance must be advanced, not only in word, but in deed. Abuse of children by United Nations personnel undermines local and international support for peacekeeping missions and threatens any positive contribution to conflict resolution that an intervention may make.

We call upon the Secretary General to ensure that accusations of sexual exploitation and abuse of children by United Nations personnel are thoroughly investigated and, where appropriate, prosecuted in accordance with domestic and international standards of human rights.

We have consistently emphasized the importance of effective monitoring and reporting as follow-up to Security Council resolutions in any domain. It is an issue of accountability.

An important effort has been made in this report to outline a possible reporting format that would

include all relevant United Nations actors and non-governmental organization (NGO) staff responsible for child protection issues. The decision to establish child protection task teams also has merit.

The reporting mechanism being proposed is wide-ranging and covers a number of issues, some of which overlap with the protection of civilians agenda and the women, peace and security agenda. It is important that we acknowledge the hard work and the contribution of the Secretary-General's Special Representative, Mr. Otunnu, and of the United Nations agencies and funds with whom he worked in developing these recommendations.

On the subject of overlap, Canada would suggest that this overlap be taken into account and that consideration be given by the Secretary-General to encouraging consolidated reporting and assessment requirements where overlap is apparent. For example, many of the violations noted in the Secretary-General's report are of relevance to civilians more broadly and not just to children.

We also suggest that attention be devoted to the fostering and development of the local capacity of States and civil society organizations, so as to prevent violations and abuses of children within a given country. Such efforts will enhance preventive action and will reduce the need to resort to intergovernmental action at the regional or international level.

As the mechanism of monitoring and reporting is intended to be a trigger to action, genuine commitments by national Governments and by the Security Council must be made to enact targeted and concrete measures of response. The Security Council must be responsive to the monitoring and reporting process, beginning with the inclusion of child protection advisers in the mandates of peacekeeping operations. Canada also supports the recommendation of the Secretary-General for targeted measures against non-compliant parties or where insufficient progress has been made by parties identified in the report. But we suggest that this be coupled with the establishment, as soon as possible, of base indicators and standards. In addition, the Security Council will need to commit to ensuring that an adequate monitoring and enforcement mechanism is put in place for such targeted sanctions.

On a different but related point, the insecurity of children and the proliferation of small arms and light weapons in conflict areas have been proven to be inextricably linked. We strongly believe that the protection of children should be a priority in small arms programmes and action plans, and that that would increase the security of children affected by conflict. We suggest that this is especially so within disarmament, demobilization and reintegration (DDR) programmes. Action on the Secretary-General's recommendations for the incorporation of best practices in DDR programmes for children is long overdue.

The application of children-specific DDR programming in recent campaigns is evidence that lessons learned regarding children are indeed being incorporated into the planning of new programmes. But gaps still remain in adequately addressing the issues of girl combatants and girls and boys in their roles as non-combatant labourers. We suggest that Member States should continue to support research, evaluation and improvement of DDR programmes for children, including culturally sensitive post-traumatic stress treatment options, with particular attention being paid to the disadvantaged position of girls in relation to access to DDR programmes.

Let me conclude by saying that this issue of children affected by armed conflict must remain an international priority. It is the focus of regular Security Council debates and resolutions, as well as being on the agenda of numerous intergovernmental organizations, including the Human Security Network. The challenge, though, as always, is to move from concerned rhetoric to concrete application. It is a challenge we must meet if we are to fulfil our responsibilities to those who are most vulnerable and to whom we owe the highest duty of care.

The President (*spoke in French*): I thank the representative of Canada for the kind words he addressed to me and to my country, Benin.

The next speaker is the representative of Liechtenstein, to whom I give the floor.

Mr. Wenaweser (Liechtenstein): The report before us (S/2005/72) shows that the existence of international norms and standards and the prevention and protection measures undertaken so far have not been sufficient to stop the atrocities committed against children in situations of conflict. The list of armed groups that recruit child soldiers has not become smaller since last year. On the contrary, new groups have emerged that use children in one way or another

in their combat operations. This confirms findings of other recent studies that the use of child soldiers has become commonplace in modern warfare, in keeping with the changed nature of armed conflict and the increasing use of small arms and light weapons. Engaging in dialogue with those groups is necessary and may also have led to improvements in some situations, but it is clearly not enough in itself.

More pressure has to be exerted on parties to conflict in order to make them realize that the costs of using child soldiers outweigh the benefits. Introducing a reporting, monitoring and compliance mechanism, combined with effective follow-up, is certainly an important step an "era of application", as called for by the Special Representative of the Secretary-General. While the recommended measures — such as travel bans, freezing of assets, exclusion from amnesty provisions and governance structures and imposing of arms embargoes — will be effective in some situations, they do not necessarily have the intended impact in others. It is therefore crucial that measures be tailored to their respective targets in all situations. We also have to think about how to achieve immediate improvements on the ground, as Security Council sanctions tend to take effect in the long run rather than immediately.

We welcome the listing of armed groups that recruit child soldiers or commit other war crimes against children and wish to stress that the inclusion of actors in situations that are not on the agenda of the Council is necessary for the credibility of the Council's work.

Putting an end to impunity for crimes against children and prosecuting the perpetrators are among the most important measures to be taken. Where national judiciaries that have the primary responsibility in this respect are not in a position to carry out that task for reasons of inability or unwillingness, the offenders have to be held accountable at the international level. The International Criminal Court is now carrying out an investigation into war crimes in northern Uganda, where thousands of children were abducted, forced to fight and kill and used as servants, and where they became victims of sexual crimes. We hope that that investigation creates a precedent for holding accountable perpetrators responsible for war crimes against children, and we believe that this will serve as effective deterrent for future violations.

We wish to highlight the urgent need to include the conduct of international peacekeeping and humanitarian personnel in the monitoring process. The report of the Secretary-General mentions that the allegations of sexual exploitation and abuse committed by peacekeeping personnel appear to be more serious and more widespread than previously known. Perpetrators of such crimes must be brought to justice and effective means to prevent further misconduct have to be found — both for the security of children and other possible victims and for the standing and credibility of the United Nations.

We must not forget to talk about the indirect impact of conflict and war on children. As was pointed out in a panel discussion organized by UNICEF last week, the breakdown of conflict economies — with investment collapses and the loss of livelihoods and employment, combined with a stoppage of education and health services — has severe long-term negative effects on children. It deprives them of their childhood, while the lost years of nutrition, education and socialization reduce their prospects for the future. Experts argue for continued development assistance in times of conflict as well, in order to maintain livelihoods and public services. We should keep that in mind when we talk about humanitarian assistance and development aid, particularly now that we are engaged in discussions on how to improve international development cooperation on the basis of the Millennium Project report.

The President (*spoke in French*): I thank the representative of Liechtenstein for the kind words he addressed to me and to my country, Benin.

I now call on the representative of India.

Mr. Gopinathan (India): It is an honour for us to see you, Sir, presiding over the Council's deliberations today. We would like to congratulate Benin once again on its assuming the presidency of the Council for this month.

In the interest of keeping within the time limit, I shall limit my oral remarks, but the full text will be circulated to delegations.

We welcome this opportunity to participate in the Council's consideration of the issue of children and armed conflict. Children have become increasingly involved in conflicts, both as targets of violence and as combatants. During the past few years, more than

500,000 children, recruited in 87 countries, with approximately 300,000 actively participating in combat, have been involved in conflict in some form. Most often, it is not possible to make a distinction between a forced and a voluntary child soldier. The more vulnerable people are, the easier the process of recruitment becomes. Whereas some children join armed groups for food or in order to survive or to avenge atrocities in their communities, others are physically abducted by armed groups for war. Enticed by promises of food, shelter and security and sometimes plied with drugs, child soldiers are at times led to commit atrocities against other armed groups and civilian populations, sometimes even against their own communities.

We thank the Secretary-General for his report on children and armed conflict (S/2005/72). The report makes a significant attempt to address an important issue. Before I comment on some specific aspects of the report, a few general points made in the past by India on this issue need reiteration.

The first point relates to salience. How useful is it to have a thematic debate in the Security Council on subjects such as the present one? It is true that a large number of children are victims of armed conflicts, but it is also true that malaria and AIDS kill more children than conflicts do. However, we do not deal separately in the Council with children and malaria or children and AIDS, or request reports from the Secretary-General on those subjects. A sense of balance and perspective should be retained in order to make sure that too narrow a focus does not blot out the larger picture of what has sometimes been called the soft challenges to international peace and security.

The report has identified the Security Council as by far the most important international "destination for action". The report has also offered targeted sanctions as the universal remedy in cases of insufficient or no progress. However, the Council can impose sanctions under Article 41 of the Charter only if it has established, under Article 39, that there is a sufficient danger to international peace and security to justify them. Only States are parties to conventions; non-State actors are not bound by them. More important, most armed groups obey no laws, national or international. In some cases of internal conflict, non-State actors or rival political groupings may make offers to adhere to such instruments precisely to gain legitimacy or a political locus standi. Further, can a violation by a State of the provisions of the Convention on the Rights of the Child be construed as a threat to international peace and security?

The fifth report of the Secretary-General shows that, in the years since this issue has drawn the attention of Member States, the overall progress made in addressing the circumstances of children in situations of armed conflict has not been particularly satisfactory, although there have been pockets of success. It can be seen from this report and from previous reports submitted to the Security Council that success has been achieved where the Special Representative of the Secretary-General has himself engaged in or has been involved in obtaining a commitment for the release and demobilization of child soldiers.

Of the four key components that encompass the Secretary-General's concept of the "era of application", the element of establishing a monitoring, reporting and compliance mechanism is, in our view, the least practical. The nature of situations of conflict — particularly in Africa — is such that the models of monitoring, reporting and compliance provided by the Secretary-General are impractical and would therefore be ineffective.

A body of standards for monitoring, including instruments that do not command universal adherence or acceptance, cannot be imposed on Member States. A Member State that is otherwise committed to the norms and commitments on the promotion and protection of the rights of children would be right to maintain that it would not be bound by any instrument to which it is not a party.

The use of children in armed conflict has been aggravated by the proliferation of small arms and light weapons worldwide. These weapons are inexpensive, durable, small, lightweight, easy to maintain and small enough for children to handle. Illegal arms trafficking and poor monitoring of the legal trade make it easy for children to gain access to such weapons. We are disappointed to note that the report does not call for the adoption of more legally binding commitments by Member States, such as those on the marking and tracing of small arms and light weapons and on preventing the sale of such arms to non-State actors or groups.

It cannot be denied that, in many conflict situations, the most vulnerable members of the

population — particularly women and children — are targeted with impunity. While no leniency should be shown for crimes perpetrated on innocent children, we need to see in perspective the fact that many children responsible for reprehensible crimes have often been manipulated by unscrupulous adults to take part in armed conflicts.

We support the principle, enunciated in paragraph 108 of the report, that any action by United Nations entities and international non-governmental organizations at the country level should be designed to support and complement the protection and rehabilitation roles of national authorities and should never supplant them. However, we believe that that principle remains valid not only in the context of taking necessary action based on monitoring reports, but also in designing the monitoring and reporting mechanisms themselves.

While we appreciate the substantive work undertaken to present the report, we would draw attention to a fundamental and critical issue that, although it is at the heart of this debate, has not, in our view, received adequate consideration, thereby undermining the proposals that have been made in this report. We believe that the situation of children and armed conflict has not seen appreciable amelioration because, in such situations, sometimes one and sometimes both parties are non-State actors. States can be expected — and can be counted upon — to abide by the obligations assumed by them under international legal instruments to which they are parties. The Secretary-General's monitoring proposals are applicable primarily to States. The Secretary-General's report has not made any suggestions on how non-State actors are to be held accountable. Until that aspect is addressed, the proposals that Member States consider will have limited value, as all parties to an armed conflict — not only States — need to have accountability.

The concerns raised here are aimed at finding an effective means of dealing with an important problem. Any breakdown of peace and security, and the conflicts that ensue, have a tragic impact on children. However, we feel that we ought to make decisions and act in ways that will lead to effective results. We should bear in mind the need to obtain the most efficient and optimal results, as the resources dedicated to any of these mandates are finite and inelastic, especially in an era of zero nominal growth in most United Nations budget lines. We should strive for increasing efficiency, cost-effectiveness and impact as we deal with this important question of protecting children from the impact of armed conflict.

The President (*spoke in French*): I thank the representative of India for the kind words he addressed to me and to my country, Benin.

I now call on the representative of Sri Lanka.

Mr. Goonatilleke (Sri Lanka): We appreciate the fact that you, the Foreign Minister of Benin, are presiding over this meeting of the Security Council. Your presence at this meeting is certainly an encouragement for those who are grappling with the phenomenon of child soldiers.

Sri Lanka commends the Secretary-General for his report on children and armed conflict (S/2005/72), submitted under Security Council resolution 1539 (2004).

Since the Graça Machel report of 1996, the attention of the international community has been increasingly focussed on the promotion and protection of the rights of children affected by armed conflict. Following the appointment of the Special Representative of the Secretary-General, the plight of children affected by armed conflict has received high priority from the United Nations. The continuation of violations of the rights of concerned children, despite the concerted efforts of the international community, has forced the Security Council to take a special interest in the matter, as reflected in resolutions 1379 (2001), 1460 (2003) and 1539 (2004).

The report focuses its attention on two groups of countries and entities — first, situations on the agenda of the Security Council and secondly, situations not on the agenda of the Security Council or other situations of concern, as reflected in Annexes I and II. Going through the report, it is clear that progress during the reporting period has been minimal, and atrocities against children have continued relentlessly, with the perpetrators appearing to have nothing but scorn for the efforts of the international community and the United Nations.

The Liberation Tigers of Tamil Eelam (LTTE) has been listed in Annex II of the report owing to the fact that the LTTE has for many years been engaged in recruiting children for armed combat. The report before this Council also states that the LTTE has also been

responsible for the abduction of children during the reporting period, a fact that has been corroborated by the United Nations Children's Fund (UNICEF), the Sri Lanka Monitoring Mission, and the University Teachers for Human Rights (Jaffna), a non-governmental organization (NGO) based in Sri Lanka. Such reports are denied by the LTTE. This practice has to be viewed against the undertaking given by that entity to Mr. Olara Otunnu in 1998 and the signing of an action plan for children affected by war by the LTTE in July 2003 under the aegis of UNICEF. In that action plan, the LTTE agreed to halt recruitment of children and release all children within its ranks. Despite those solemn undertakings, the group has continued the practice of recruiting thousands of children, in most cases by force, some of them as young as 11 years old. Moreover, the LTTE has engaged in re-recruiting those who had been released and even those who had escaped from training camps, through threats, intimidation and physical attacks on the children, as well as their family members.

According to UNICEF, between 26 December 2004 and 14 February 2005, 60 children either orphaned or affected by the recent tsunami were recruited from transit camps to be used as combatants. As of 31 January 2005, the total number of cases of under-age recruitment by the LTTE stood at 4,811, with 1,452 outstanding cases. These figures provided by UNICEF testify to the widespread child recruitment by that organization in utter disregard for the human rights of the victims, as well as for resolutions of the General Assembly and of this Council.

We are aware that there has been increased global awareness about this phenomenon, particularly since 1996. The Special Representative of the Secretary-General, despite woefully inadequate resources, has done a commendable job in giving increased visibility and exposure to the issue, with the assistance of UNICEF, other United Nations agencies, national Governments, regional organizations, NGOs and others. Despite this high visibility and increased awareness, there has regrettably been no commensurate improvement in the situation on the ground. The plight of the affected children continues to remain serious. The solemn undertakings given by the parties concerned have by and large remained unfulfilled, and the practice of naming and shaming offenders does not seem to have yielded the desired results.

Sri Lanka expected that there would be a significant change on the ground with the Security Council focussing its attention on the issue. However, despite the passage of several years since the adoption of resolution 1379 (2001), there seems to be little progress. This situation cannot be allowed to continue. It has to be arrested and reversed with all the political will we can muster. Surely, the authority of the Security Council cannot be allowed to be undermined in this manner.

Against this background, Sri Lanka is in agreement with the recommendation of the report that the Security Council should take measures against those who fail to cease recruiting child combatants. Paragraph 77 of the report speaks of "levers of influence", such as international accountability as enforced by the International Criminal Court and ad hoc tribunals to bring to justice perpetrators of crimes against vulnerable children. Sri Lanka is of the view that enforcement of these measures on a gradual scale will have a deterrent impact on all those who willingly and deliberately violate the rights of children in situations of armed conflict.

Sri Lanka supports the establishment of a monitoring, reporting and compliance mechanism to support the "era of application", focussing on six broad areas of grave violations, including the killing, recruiting and abduction of children. Sri Lanka is also supportive of the view that, whenever possible, task forces on monitoring and reporting should draw from the child protection networks on the ground and, where possible, cooperation of the relevant Government institutions should be harnessed for optimum results. In this context, we are pleased to note that the report has recognized the central role of national Governments and that the United Nations entities and international NGOs at the country level should always support and complement the protection and rehabilitation roles of national authorities.

The President (*spoke in French*): I thank the representative of Sri Lanka for his kind words addressed to me and to my country, Benin.

I now call on the representative of Senegal.

Mr. Niang (Senegal) (*spoke in French*): Mr. President, after having conveyed to you the warm greetings and best wishes of your friend and brother, Cheikh Tidiane Gadio, Minister for Foreign Affairs of Senegal, I would at the outset like to express sincere

congratulations on behalf of the Senegalese delegation for the extremely important initiative that you have taken in organizing this debate on such a pressing issue as child soldiers.

More than 300,000 children under the age of 18 are participating actively in armed conflict throughout the world. Over a million children have met this fate over the past 10 years, and hundreds of thousands of other children are enlisted in armed forces in countries where there is currently no armed conflict. These child soldiers must carry out all types of tasks. While some of them are involved in combat, others are often used for sexual purposes or as spies, messengers or servants. Some child soldiers must also lay or clear landmines, with all the risks that this activity entails.

Often enlisted by force, equipped with sophisticated and deadly weapons and supplied with intoxicating substances, which make them even more dependent on their group, child soldiers become human bombs, who are a danger both to themselves and to others.

This bleak picture, which is far from being exhaustive, shows us to what extent the scourge of child soldiers is a permanent threat to our societies and a serious violation of the rights of children by those who are recruiting them.

International norms and principles for the protection of children affected by armed conflict exist. Moreover, officials of armies or armed groups that engage in enlisting children are often known and the theatre of their operations is identifiable, because these are usually well known areas of conflict or tension. Ultimately, we are dealing here with an equation where all the factors are known — in other words, an equation without unknowns. Yet, the international community, despite the consistent efforts it has made, has always encountered enormous difficulties in tackling this problem.

The scourge of child soldiers has not yet been brought under control and remains a topic of great concern for the United Nations. Yet, Senegal is convinced that the international community can defeat this evil if it can step up its actions in at least the following three areas.

First, there must be broader ratification and rigorous implementation of the Optional Protocol to the Convention on the Rights of the Child pertaining to the involvement of children in armed conflict, which entered into force on 12 February 2002. However, before that can occur, all States must show true political will and agree that the implementation of the Protocol must be subjected to strict and continuous oversight. Moreover, there needs to be greater use of the sanctions regime under the international law that prohibits the recruitment of, and participation by, children in armed conflicts. In that respect, the Rome Statute establishing the International Criminal Court is an effective cornerstone in that it considers it a war crime to recruit or enlist children under the age of 15 years into armed groups or forces, or to actively involve children in hostilities.

Nevertheless, it is true that law can only have an impact if it is effectively applied and if violations are followed by sanctions. Thus, the Senegalese delegation is of the view that rigorous application of such sanctions would act as a real deterrent.

Secondly, the international community should enhance its efforts aimed at raising awareness and at prevention. In that respect, it is crucial that substantive programmes be initiated in countries where conflicts are ongoing, with a view to providing alternative prospects to children and their families. In that regard, the fights against poverty and illiteracy are, inter alia, key elements of these programmes where civil society and non-governmental organizations play a pivotal role.

Thirdly and finally, maintaining and enhancing programmes for the demobilization and reintegration of child soldiers are, in our view, of the utmost importance. Speakers from this morning and this afternoon have already highlighted those issues, so I will not address them.

Apart from the elements just mentioned, Senegal supports unreservedly, the rapid implementation of all the measures and recommendations set forth in the report of the Special Representative to the Secretary-General for Children and Armed Conflict, Mr. Otunnu, whom we congratulate for his commitment to the cause of child soldiers. My country remains equally committed, together with all the States members of the Economic Community of West African States (ECOWAS), to a conscientious implementation of the declaration and plan of action signed in 2000 during the ECOWAS Conference on War-Affected Children.

The President (*spoke in French*): I thank the representative of Senegal for his statement and for his kind words addressed to me and to my country, Benin.

I now call on the representative of Norway.

Mr. Løvald (Norway): Norway is pleased to see you, Sir, presiding over the deliberations on this very important item.

Norway is deeply concerned about the continuous reports of the killing and maiming of children, the recruitment and use of child soldiers, as well as rape and other forms of sexual violence against children in conflict situations. This year's report of the Secretary-General on children and armed conflict sheds further light on the widespread and unacceptable pattern of grave violations against children in conflict situations worldwide.

We welcome the proposed action plan for the establishment of a monitoring, reporting and compliance mechanism, which, we understand, is based on extensive consultations with stakeholders. The mechanism should be established as soon as possible.

Furthermore, the Security Council should consider including child protection officers in the mandates of all peacekeeping missions. We have previously called for an assessment of best practices and lessons learned as a basis for ensuring more effective interventions. Best practices should be institutionalized in the Department for Peacekeeping Operations (DPKO) of the United Nations Secretariat. There should be a focal point in the Department for dealing with the issues concerning children in armed conflict. In that regard it is important that the Department cooperate closely with UNICEF, since that agency plays a leading role in the field with regard to the protection of children's rights.

In addition to child soldier recruitment, the action plan specifies five other flagrant violations of children's rights that improved monitoring efforts should focus on. We welcome that proposal and consider it particularly important that rape and other types of grave sexual violence are also included. It is our firm belief that grave forms of gender-based violence in situations of armed conflict deserve particular attention.

The practice of listing parties to armed conflict that recruit or use children in situations of armed conflict is without doubt a major and politically significant contribution to raising awareness about the plight of these children. It also demonstrates that the international community is no longer willing to close its eyes to the tragedies of children today.

We are deeply dismayed to learn about the significant increase in allegations of sexual misconduct against United Nations peacekeeping personnel.

All allegations of sexual exploitation and abuse involving United Nations personnel must be thoroughly investigated and followed up, and preventive measures must be put in place. We welcome the report published in early January by the Office of Internal Oversight Services of the United Nations Secretariat, and the other investigations that are being carried out. We would, however, like to see a comprehensive report setting out recommendations on the issue of sexual exploitation and abuse by United Nations peacekeepers and humanitarian personnel. We consider it essential to introduce rigorous pre-deployment training programmes, for military and civilian personnel, in human rights, including the issue of sexual abuse.

Norway supports the consideration of targeted measures to end atrocities against children and impunity for violators. For measures to be effective it is important that they be tailored to the individual situation in order not to unnecessarily impede efforts to end an armed conflict, which is the single most important measure that could protect the rights of the child.

We acknowledge the crucial work done by non-governmental organizations and civil society organizations with regard to advocacy, protection and rehabilitation, and developing and strengthening the monitoring and reporting regime for children and armed conflict. We agree that particular priority should be given to supporting and strengthening national and civil society institutions that protect and rehabilitate children in conflict and post-conflict situations. In that regard it is important that community reintegration activities for children be supported. We should not forget that the reintegration process takes time and requires long-term support.

We are aware that the Security Council is currently negotiating a new resolution as a follow-up to last year's Security Council resolution 1539 (2004). We sincerely hope that the Security Council will take

further steps towards bridging the current gap between existing international norms and standards and the daily life of thousands of girls and boys in situations of armed conflict.

The President (*spoke in French*): I thank the representative of Norway for his statement and for his kind words addressed to me as well as to my country, Benin.

I now call on the representative of Uganda.

Mr. Wagaba (Uganda): My delegation is pleased to see you, Sir, presiding over this session of the Council. We thank the Security Council for allowing my delegation to address it concerning the important issue of children and armed conflict. The fifth report of the Secretary-General on children and armed conflict, contained in document S/2005/72, has been studied carefully by my delegation.

Paramount on the agenda of the Government of Uganda is the promotion and protection of the rights of children. Uganda is a party to all international instruments related to children's rights.

Of particular concern to my delegation is the mischaracterization contained in paragraphs 52 and 53 and annex II of the Secretary-General's report, regarding Uganda. It is not the policy of the Uganda People's Defence Forces, including the Local Defence Units (LDUs), to recruit anyone under the age of 18 years. In fact, it is required by law that any recruits into the military forces should be 18 years old or older.

The Uganda People's Defence Forces (UPDF) and the Local Defence Units work openly with UNICEF, Save the Children Denmark and other relevant organizations to ensure that anyone below 18 years of age is not mistakenly recruited through misrepresentation of age owing to lack of a birth certificate. Any cases that arise lead immediately to discharge from the military forces.

The UPDF is directly involved in rescuing children who have been abducted by the so-called Lord's Resistance Army (LRA). There is a mechanism in place to reintegrate those children into society that includes the payment of school fees for all students whose parents are in camps for internally displaced persons and the rehabilitation of infrastructure.

The battalion referred to in paragraph 53 of the report of the Secretary-General is not being used for the re-recruitment of LRA members, but as the first point of security for those rescued by the UPDF from the clutches of the LRA before they are re-integrated into society. The camp is open for anyone to visit, including the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu.

It is crucial that the Special Representative in particular undertake a comprehensive visit to northern Uganda in order to see for himself the efforts being undertaken to rescue, screen, rehabilitate and reintegrate any rescued Ugandans in this regard. My Permanent Representative and I visited the region last month. We were able to see, and to learn at first hand, the hardships caused to residents, especially women and children, by the activities of the LRA. We were also able to listen to their hopes and aspirations for a better future. The Special Representative would find such a visit highly instructive.

The consistent momentum and continued effectiveness of the UPDF has, to a large extent, contained the LRA, which is a source of unrest in northern Uganda. Thanks to the cooperation of the Government of the Sudan, the LRA is running out of places to hide in southern Sudan and they are being forced to give up their terrorist activities. As a result, many former LRA rebel commanders have surrendered, on the realization that the offer of dialogue by the Government of Uganda is the best way for them to resolve their differences. As a result, the operational capacity of the LRA has been degraded tremendously.

Also thanks to the efforts of UPDF, the districts of Lira and Soroti are now devoid of any LRA activity. However, the LRA has used the opportunity for dialogue in bad faith. By December 2004, the LRA was using the ceasefire instituted by the Government of Uganda to reorganize, retrieve hidden ammunition and regain military momentum, thereby enabling it to continue to carry out ambushes and attacks on camps for internally displaced persons.

Whereas my delegation agrees that the LRA should be named and sanctioned to the farthest extent possible, annex II to the Secretary-General's report has erred in lumping the UPDF and the Local Defence Units together with the LRA, which is a terrorist organization. That shows a lack of understanding of the situation in northern Uganda, which has largely been created by the refusal of the Special Representative of

the Secretary-General to visit the region to get a first-hand account of the situation.

Regarding the proposals for a plan of action to establish a monitoring, reporting and compliance mechanism for children and armed conflict, my delegation welcomes the fact that the six types of grave abuses on which international action is urgently required have been clearly identified. Though commendable, the efforts suggested for the gathering, compiling and vetting of information to enhance the coordination and effectiveness of the international community need further refining in order to fully contribute to the overall aim of safeguarding children in armed conflict.

It is important for the Special Representative of the Secretary-General to clearly indicate the point during the preparation and submission of reports at which he will consult Member States, including their delegations in New York. It is our view that rigorous and transparent consultations are crucial at all stages, as they will enhance concise, objective and accurate reporting. A formula should be devised to limit the institutional spread of "destination for action" centres, to avoid contradictory outcomes.

The Special Representative may also wish to elaborate upon the criteria used to arrive at the selection of regional groupings proposed to undertake joint initiatives with the United Nations while leaving out others. In that regard, the allocation of roles should also be clearly explained, including the mandate proposed for some regional organizations to take on an international role with regard to areas that fall outside their regional mandates.

The views of all stakeholders have to be accommodated. Ad hoc briefings in that regard cannot constitute a serious consultative exercise. The spirit of the 1996 Graça Machel report should be emulated with regard to transparency, objectivity and inclusiveness, to avoid politicization of the process.

It is the hope of my delegation that the recent findings of the Secretary-General regarding the shortcomings of the Special Representative in addressing issues related to children in armed conflict will be addressed expeditiously and efficiently so as to ensure that there is transparency, objectivity, accuracy and professionalism.

The President (*spoke in French*): I thank the representative of Uganda for his kind words addressed to me and my country, Benin.

I now call on the representative of Guinea.

Mr. Sow (Guinea) (*spoke in French*): I would like to express our appreciation to you, Mr. President, as well as to the other ministers and heads of delegation who have honoured us with their active participation in this meeting of the Security Council. I would also like to take this opportunity to convey the regret of your brother, Mamdi Condé, Minister for Foreign Affairs of Guinea, who could not be here owing to reasons beyond his control. We are also grateful to the delegation of Argentina for the effectiveness with which it guided the Council's work during January. Allow me also to congratulate Mr. Olara Otunnu for his outstanding introduction of the report (S/2005/72) of the Secretary-General, as well as for the devotion and competence he has demonstrated in the execution of his duties. I also wish to thank Ms. Rima Salah, Deputy Executive Director of UNICEF, and Mr. Ibrahima Diouf, Special Adviser on Child Protection to the Executive Secretary of the Economic Community of West African States (ECOWAS), for the conciseness and usefulness of the presentations they made this morning.

Located at the heart of a subregion long torn apart by conflict, Guinea is encouraged by the peace and stabilization process in the countries of the Mano River Union and attaches great importance to the issue of children in armed conflict. We would like to express our gratitude to our sister republic Benin for having placed this item on this month's agenda of the Security Council. In that connection, my delegation is pleased to note that the Council has taken this matter up frequently since 1999. This is an important issue, in terms of the need to ensure the full implementation of the relevant recommendations and to enhance the steps to be taken at every level so as to ensure that we eradicate the scourge of child soldiers.

We note that success has been made in terms of implementing regulatory and operational instruments on the protection of children in armed conflict. As the body responsible for the maintenance of international peace and security, we encourage the Council to continue to ensure that that issue is monitored closely. With regard to honouring the commitments undertaken and the progress made to halt the recruitment and use

of children in armed conflict and other violations against children, my delegation welcomes the results of the consultations that led to the preparation of the report under consideration.

While we acknowledge the continuing difficulties with regard to access to information and to children in areas of conflict, my delegation welcomes the efforts that are under way, particularly the establishment and strengthening of national mechanisms and the coordination between United Nations country teams and national actors to bring about a better understanding of the situation of children in every crisis and conflict situation.

With regard to the serious and shocking problem of sexual misbehaviour and exploitation by United Nations peacekeeping personnel, my delegation unreservedly supports the efforts now under way. We also once again emphasize the importance of the Secretary-General's bulletin (ST/SGB/2003/13) on special measures for protection from sexual exploitation and sexual abuse. We believe that this bulletin should be used by all actors as a manual.

My delegation endorses and supports the development of the plan of action to create a systematic and comprehensive monitoring and reporting mechanism, pursuant to the Security Council's request in resolution 1539 (2004). We believe that important measures and specific initiatives have been developed to ensure the protection of children in armed conflict and that a systematic campaign to promote the implementation phase of the plan of action could contribute to rectifying dysfunctions and to ending the impunity of the perpetrators of atrocities against children.

We therefore approve the flow chart for monitoring and reporting on children and armed conflict, but we feel that its relevance will depend on the effective commitment of the various actors, their respective mandates and their resolve to take the measures appropriate to each situation. Furthermore, my delegation supports the establishment by the Sub-Commission on the Promotion and Protection of Human Rights of a standing working group on children and armed conflict in order to fulfil the objectives set out in paragraph 132 of the report.

With respect to the incorporation of best practices in disarmament, demobilization and reintegration (DDR) programmes for children, my delegation is encouraged by the efforts and initiatives under way and hopes that the finalization of the module on children and disarmament, as part of the initiative entitled "Towards a United Nations approach to disarmament, demobilization and reintegration in a peacekeeping environment", will contribute further to strengthening the efforts already engaged.

It should be noted, however, that the complexity and difficulties of DDR programmes require the will of leaders and other regional and local actors, as well as the cooperation of donors, the private sector and civil society, with a view to ensuring the enhanced implementation of those programmes. In that context, the measures proposed in the report to promote international and regional cooperation to prevent and combat illegal cross-border activities that harm children deserve urgent attention.

My delegation welcomes the establishment of various lists, which will keep us better informed on the development of child-related issues in various situations of armed conflict. However, it should be noted that, even where the Council is not directly seized of certain cases, it ought nevertheless to focus due attention thereupon. In that respect, a regular updating of the lists is essential. It is only through access to information that the international community can assume its responsibilities.

My delegation reiterates its belief that the peoples and children of the world, particularly in Africa, can only enjoy a common destiny in an environment of peace. Peace, in turn, is possible only if development is guaranteed, especially in the countries of Africa, through the establishment of a minimum level of justice, inter alia, in the management of their debts, an opening of the markets of the North to their products, appropriate redistribution of wealth, and increased official development assistance.

All of that requires coordination between, on the one hand, the various United Nations bodies and the institutions committed to the well-being of children, and, on the other, between the Organization and the regional, subregional and national entities.

While we appreciate the efforts now under way, my country hopes that the Security Council, together with other organs and institutions concerned, will take the measures necessary to finding appropriate and lasting solutions to the problem of children and armed conflict. We will spare no effort in making its

contribution to the collective effort to ensure the success of this meeting of the Security Council.

The President (*spoke in French*): I thank the representative of Guinea for his kind words addressed to me and to my country, Benin.

I now call on the representative of Gabon.

Mr. Moungara-Moussotsi (Gabon) (*spoke in French*): The delegation of Gabon, through me, congratulates Benin on its initiative to convene this debate on the sensitive topic of children and armed conflict. Your presence, Sir, reflects in no uncertain terms your country's commitment to the cause of children.

I also take this opportunity to welcome the other ministers who are present here at this debate and to express my utmost appreciation to Ambassador César Mayoral of Argentina for the skill with which he discharged his duties as President of the Council for January.

I also join in the well-deserved tribute to the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu, for his excellent briefing on the Secretary-General's report. I must say that my delegation always follows with great interest the briefings of Mr. Otunnu, whose commitment to children in conflict situations is abundantly clear. I therefore reaffirm my delegation's full support for his effective action.

Today's debate on children and armed conflict falls, in my opinion, within the logic of the meeting on small arms and light weapons convened by your delegation, Sir, on 17 February. Indeed, as is often acknowledged and reiterated, many armed conflicts throughout the world — but more often in developing countries and especially in Africa — are exacerbated by small arms and give rise to the enlistment of children among the ranks of combatants.

Victims of physical abuse, children also have to endure the beastly fantasies of warlords. They are exploited in order to satisfy the selfish appetites of a handful of irresponsible politicians who lust for power and are sometimes in the pay of multinationals greedy for sordid and disgraceful profits. Their innocence deeply compromised, and used as sex slaves and soldiers, sometimes under the destructive influence of narcotics, children witness the most shocking atrocities and may even be forced to take part in them.

Is it enough, however, to condemn the harm wrought by war on the innocence, health and future of boys and girls? The answer is that more dynamic, coordinated and sustained action is necessary in preventing armed conflict and the proliferation of small arms, implementing national and international legal norms on the protection of children, and making an example of those who are guilty of crimes against children. My delegation believes that the prevention of armed conflict is essential to sparing children the untold suffering that threatens their mental and physical health and their future. Vigorous action to stem the proliferation of and illicit trade in small arms and light weapons also contributes to saving children from the horrors of war. From the legal standpoint, it must be acknowledged and recognized that the international norms in force to protect children are adequate and well adapted.

My delegation stresses the need for the international community to ensure strict compliance by the parties to a conflict with the provisions of the Geneva Conventions of 12 August 1949 and their Additional Protocols of 1977, as well as of the Convention on the Rights of the Child, whereby children affected by armed conflict must enjoy special protection and care.

In that connection, we must put an end to the impunity of those responsible for crimes against children. The perpetrators of such crimes must be prosecuted and punished. It is particularly alarming that peacekeeping personnel — the very people who are supposed to alleviate the suffering of children — may contribute to the problem. The United Nations and the countries of origin of those personnel must assume their responsibilities for clamping down on such behaviour.

Within the framework of peacekeeping operations and post-conflict programmes, it seems pivotal to us to take into account the special situation of children affected by armed conflict, as this is crucial for their rehabilitation and reintegration into an environment that is conducive to their development and well-being. Thus we invite the donor community to provide sizeable financial support to activities related to disarmament, demobilization and reintegration programmes.

My delegation would like also to welcome the cooperation and the contribution made by United

Nations agencies such as the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the High Commissioner for Human Rights, as well as many others who work to protect and ensure the well-being of children. This cooperation is beneficial and will prove to be even more useful in the context of the monitoring and reporting mechanism that is advocated by the Secretary-General in his report, which has been submitted to us in accordance with the relevant resolutions of the Security Council.

The President (*spoke in French*): I thank the representative of Gabon for the kind words he addressed to me and to my country, Benin.

The next speaker on my list is the representative of Iraq, to whom I give the floor.

Ms. Tawfiq (Iraq) (*spoke in Arabic*): Allow me to speak on behalf of the Permanent Representative of Iraq, who is otherwise engaged at this time. I should like to convey his thanks and his appreciation to you, Sir, for presiding over this open debate to discuss the report of the Secretary-General on children and armed conflict, given the importance and gravity of the question.

My delegation has read the report of the Secretary-General on children and armed conflict, contained in document S/2005/72. My delegation would like to refer to the following points with respect to the part concerning Iraq.

First, the Government of Iraq admits to facing problems in its efforts to achieve stability and security as a result of the terrorist acts carried out by extremist groups and elements loyal to the former regime. Those groups use innocent children, women and elderly people as human shields, which leads to heavy losses among those segments of the population.

Secondly, the Government of Iraq has officially announced the beginning of reconstruction operations, the provision of health and humanitarian services, and the rehabilitation of hospitals, health centres and schools in areas where military actions took place.

Thirdly, the information contained in the report came from the United Nations Children's Fund (UNICEF) Office in Amman — that is to say, from outside Iraq. The Government of Iraq has repeatedly expressed to the United Nations its need for assistance from the international Organization and its specialized agencies. The Government has requested the reopening and expansion of those agencies in the north and the south of Iraq, areas which enjoy security and stability. That would enable the two parties to consult and to agree on the assistance required by the Iraqi people — children in particular. That would be preferable to that carrying out such activities through offices in other countries that are far from the actual areas needing assistance.

Fourthly, my delegation has seen no mention made of the compliance and the progress made in Iraq's Kurdistan and in other parts of Iraq which enjoy social, economic stability and security.

Fifthly, having read the report in general and in particular the part pertaining to the organigramme of the monitoring and reporting mechanism in the area of children and armed conflict, the Government of Iraq reaffirms its keen interest in cooperating with the Special Representative of the Secretary-General on Children and Armed Conflict and in translating that cooperation into reality in order to achieve our common objective of protecting the children of Iraq.

The President (*spoke in French*): I thank the representative of Iraq for the kind words she addressed to me and to my country, Benin.

The next speaker on my list is the representative of Indonesia, to whom I give the floor.

Mr. Jenie (Indonesia): Mr. President, let me start by expressing our pleasure at seeing you preside over this important meeting today on the pertinent issue of children and armed conflict. My delegation also commends the Secretary-General for his timely report contained in document S/2005/72, which gives a broad perspective on the question of the protection of children affected by armed conflict.

Indonesia is of the view that the rights of children in armed conflict should be acknowledged and respected. Those rights should be an explicit priority of, and should be firmly entrenched in, peacemaking, peacebuilding and conflict-resolution processes. My delegation warmly welcomes the significant progress made so far by various parties in the context of the process of the disarmament, demobilization and reintegration of child soldiers, as well as in developing action plans to end their use in conflict situations. We also support measures to prevent grave violations against such children.

We are saddened to learn, however, that, notwithstanding such progress, the situation for children remains quite serious and unacceptable. The international community is now faced with a cruel dichotomy. On the one hand, clear and strong armed conflict protection standards for children involved in conflict and important concrete initiatives, particularly at the international level, have been developed. On the other hand, atrocities against children continue largely unabated on the ground.

That gloomy picture is further exacerbated by the significant increase in the number of allegations of sexual misconduct against United Nations peacekeeping personnel. It is imperative that peacekeepers uphold the trust that the local population and the international community have placed in them. In that regard, we appreciate current initiatives to undertake informal consultations with troop- and police-contributing countries to identify joint solutions to the problem.

In general, my delegation is aware of the initiative of the Special Representative, Mr. Olara Otunnu, to come up with an action plan for the establishment of a monitoring, reporting and compliance mechanism. Indonesia strongly believes that national authorities play a central and immediate role in providing effective protection and relief to children in danger. It is therefore necessary that all actions undertaken by United Nations entities and international non-governmental organizations at the country level should always be designed to support and complement the protection and rehabilitation roles of national authorities, and not supplant them.

In the case of Indonesia, articles 59 and 60 of law number 23/2002 on child protection oblige the Government to provide special protection for children in emergency situations, such as those who are internally displaced, those who have become victims of internal conflict or natural disasters, and children in armed conflict. Article 63 clearly stipulates that no one shall engage in recruiting or manipulating children for military purposes. Those who violate such provisions will be brought to justice and penalized.

Indonesia is very much aware of the complexity of the issue of children and armed conflict. A concerted and comprehensive approach, rather than partial and selective ones, should be promoted in addressing the root causes of this problem. While national Governments play a vital role, the international community should ensure generous support and assistance for national plans and programmes in this regard.

In sum, the future of humanity depends on children. The use of children in armed conflicts casts a dark shadow over their future, for children who are exposed to such violence often carry fear and hatred in their hearts and minds that have profound long-term effects. Hence, much needs to be done to alleviate their suffering and to ensure their rightful place in society through adequate support programmes. We are in duty bound to extend our cooperation to the Secretary-General in his efforts to address the issue of children affected by armed conflict.

The President (*spoke in French*): I thank the representative of Indonesia for the kind words he addressed to me and to my country.

The next speaker is the representative of Niger, to whom I give the floor.

Mr. Boureima (Niger) (*spoke in French*): I am speaking on behalf of Ambassador Moutari, who is unable to be present at this meeting. Let me begin, Mr. Minister, by conveying the regrets of your counterpart, my Foreign Minister, Ms. Aïchatou Mindaoudou, who, despite the best of intentions, was unable to come to New York to participate in today's meeting.

I wish, at the outset to welcome the initiative of the Republic of Benin — and of the United Nations, through the Special Representative of the Secretary-General for Children and Armed Conflict — to convene this meeting on war-affected children, an item to which my country attaches great interest. As members know, the issue of child soldiers remains a source of great concern for the international community, which in recent years has continued to take steps to protect children in conflicts and to include them in programmes of disarmament, demobilization and reintegration.

Yet the adoption of a number of legal instruments — the 1989 Convention on the Rights of the Child and its 2000 Optional Protocol on the Involvement of Children in Armed Conflict among the most important among them — has not prevented children from falling victim to armed conflicts. Indeed, in recent years we have observed living conditions

deteriorate for many children, especially in conflict zones, where children account for a great proportion of civilian victims of armed conflict.

Over the past decade, some 20 million children have been forced to flee their homes because of armed conflicts, which have killed more than 2 million and injured three times that many. Moreover, each year between 8,000 and 10,000 children are killed or maimed by landmines.

In addition to all those problems, an even more repellent phenomenon has emerged: that of child soldiers — boys and girls under age 18 — who are estimated to number more than 300,000 and who are embroiled in more than 30 conflicts throughout the world, and particularly in West Africa. Here, it is important to note and to decry the increasing number of violent conflicts, especially in Africa, with their attendant desolation: including 'oss of life, mass displacement, rape and ethnic cleansing.

As a rule, women and children are the main victims of armed conflict, because conflicts confine them to places where they have no access to their basic needs for survival. In such places, children are forcibly snatched from their schools or from their homes — or even in the street — to be enlisted in armed factions. Sometimes they enlist voluntarily, either seeking a way to improve their lives or out of ignorance. This phenomenon arises in most African countries with ongoing conflicts.

Such participation by children in conflicts led the Economic Community of West African States (ECOWAS) to address the issue by holding a ministerial conference on war-affected children, held at Accra, in April 2000. The outcome of the conference gave rise to the adoption by ECOWAS heads of State or Government, at Abuja, Nigeria, in May 2000, of the Accra Declaration and Plan of Action on War-Affected Children, which call for and outline strategies for child protection in situations of armed conflict. Among the important decisions that were adopted, we can be proud of the decision to hold annually, in all States members of ECOWAS, a West African Week of Truce for War-Affected Children, coinciding with the annual 16 June Day of the African Child declared by the African Union. They also include the convening of a meeting of ECOWAS Ministers for Foreign Affairs to consider the role played by national Governments and ECOWAS in the protection of war-affected children.

For its part, Niger is grateful that it has not been ravaged by major conflict. I can affirm that Niger has not experienced the phenomenon of child soldiers. But that does not prevent it from standing in solidarity with other Africans — particularly those of West Africa. Like other countries of the subregion, Niger is concerned at the instability that prevails there. Porous borders, migration and transboundary exchanges mean that a conflict in one country can have repercussions in neighbouring countries, both near and far. Thus, during the tragic events in Sierra Leone, many people of the Niger with dual nationality who knew Niger only on paper had to be repatriated as a matter of urgency. That is also the present situation in Côte d'Ivoire, where a large Niger community is directly affected by the conflict.

But, as it is concerned about the future and the well-being of children, Niger has ratified all the international conventions and treaties relating to the rights of the child, including the African Charter on the Rights and Welfare of the African Child, the 1989 Convention on the Rights of the Child and its 2000 Optional Protocol on the Involvement of Children in Armed Conflict, the 1999 International Labour Organization Convention on the worst forms of child labour and the Declaration and Plan of Action adopted at the 1990 World Summit for Children.

I would note that my country has also adopted national legislation and regulations relating to those instruments. Among them I might mention the ruling creating a national commission on penal and civil legislative reform. Moreover, Niger is a signatory to conventions relative to the protection of child refugees and children in conflict situations.

We have adopted several other judicial and institutional measures that relate to children. Among such judicial measures, I am pleased to recall the establishment of some 40 children's courts and the training of judges for minors, which has been under way since 1999. The penal code and the code of criminal procedure include provisions specifically for the administration of justice with respect to minors. Turning to institutional measures, there are numerous structures concerned with children in Niger, such as the Ministries for the Advancement of Women and Child Protection, Youth, Sport, Basic Education and Health, among others, which work to improve the situation of children and young people in Niger.

As members know, in 2001 in Dakar, ECOWAS heads of State or Government declared the period 2001 to 2010 the Decade of a Culture of the Rights of the Child in the ECOWAS area. The Decade should make it possible to consolidate progress in the sphere of safeguarding the rights of the child and in improving awareness of the problems of war-affected children by making children a priority in all development programmes.

The President (*spoke in French*): I thank the representative of Niger for the kind words addressed to me and to my country, Benin.

The next speaker on my list is the representative of Mali.

Mr. Diarra (Mali) (*spoke in French*): Mr. President, my delegation is pleased to see you presiding over this meeting of the Security Council. My delegation would like to commend Benin for holding this open debate on the question of children and armed conflict. We are also grateful to the Secretary-General for the excellent report issued as S/2005/72, of 9 February 2005. We wish to congratulate the Special Representative of the Secretary-General for Children in Armed Conflict for his briefing.

The information provided on compliance with commitments made shows that despite the improvements we have seen with regard to the recruitment of children in situations of armed conflict, certain armed groups have continued that practice. However, we are pleased to see that the parties are proving to be more open to dialogue with United Nations structures.

On 20 January 2004, speaking on behalf of the Human Security Network, my delegation stressed the overall goal of "bridging the gaps" between universal human rights standards and their implementation and between the concepts, programmes and systematic responses in the field. The Human Security Network has developed a support strategy that identifies a series of guidelines, including the strengthening of monitoring and training, and an early warning function in the case of violation of children's rights.

My delegation is pleased that the Secretary-General has proposed to the Council an action plan for the establishment of a monitoring and reporting mechanism. That action plan, which is the result of joint efforts by UNICEF and other United Nations entities, Governments, regional organizations and non-governmental organizations (NGOs), transforms the programme of work concerning children in armed conflict into concrete measures and initiatives. My delegation hopes this will open the long-awaited implementation phase.

The four parts of the implementation of the plan, as identified in the report, should, in the opinion of my delegation, be completed by a fifth part, one concerning the imposition of sanctions by responsible organs for non-compliance with established standards. The list of grave violations that should be particularly monitored — six in number — should also include a reference to the worst forms of child labour, the subject of Convention No. 182 of the International Labour Organization.

My delegation agrees with the Secretary-General that to ensure its credibility, the monitoring and reporting system must be based on precise and clearly identified standards, and those standards must be established in order to make practice uniform. They will be based on national and international legal commitments, but they will also be inspired by best practices observed in the field. The training modules for the different players will be based on those standards. The sources of law that the report refers to will strengthen the national legislation of States in the area of child protection. Furthermore, parties whose activities must be monitored are both Governments and armed groups. The dialogue advocated in the report must, in principle, influence the conduct of the parties.

However, if there are no conclusive results, pressure must also be considered. The use of targeted measures will certainly ensure that parties will respect their international commitments. The identification, in the different reports of the Secretary-General, of actors who abuse those practices is an intermediate step that should be pursued. Entities in charge of gathering, verifying and compiling information at the country level, in particular civil society and NGOs, should be strengthened. Bodies that have decision-making power should show more firmness and determination. I am thinking in particular of the Security Council and the International Criminal Court, as well as the special tribunals, because in this area law without coercion will have only a limited effect.

My delegation is convinced that strengthening early warning mechanisms could help reduce the adverse impact of serious violations of children's rights. However, the best protection for children will be found in the establishment of an environment that is conducive to the development of individuals, one characterized by the primacy of law, where a minimum of social welfare and social justice could be achieved, an environment in which all segments of society, including youth, will play an effective role in the management of public affairs.

The President (*spoke in French*): I thank the representative of Mali for his kind words addressed to me and to my country, Benin.

There are no more speakers inscribed on my list. I shall now give the floor to the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu, to respond to comments made and questions raised by speakers.

Mr. Otunnu: The day has been long and full and I shall not detain the Council for much longer. My comments will be very telegraphic. The critiques, insights and observations made by members of the Council and other delegates have all been noted. I only wish to clarify a few areas of common concern.

With regard to the role of Governments, let me state as clearly as I possibly can that the primary responsibility for protecting children lies with the national authorities, and that the role of United Nations agencies and other international actors should supplement those efforts, not supplant them. In situations where, because of the protracted experience of war, national institutions have been weakened, the rejuvenation of those institutions should be a priority for all international partners.

Regarding dialogue with parties in conflict, again, let me clarify that this dialogue is solely for the purpose of ensuring protection of and access to vulnerable children. It should be done in complete transparency, with the knowledge and cooperation of local authorities, and it should not in any way compromise the framework of peace processes and negotiations; it should fall within that framework.

We are interested in the monitoring exercise not simply in terms of what has gone wrong — the bad news, the grave violations. As you see in the Secretary-General's report, we are equally interested in what is going right. In fact, the ultimate goal is to ensure that in every situation remedial measures are taken by the parties in conflict working in collaboration with United Nations agencies and local civil society to remedy the situations.

With regard to what kinds of measures should be taken, again, it is important to emphasize that there is a wide range of measures to be brought to bear on parties to conflict so that they modify their conduct relative to the protection of children. Those measures include public opinion, both local and international; and juridical measures and juridical accountability before national courts and before the International Criminal Court. They certainly include diplomatic and political pressure, both local and international. And, as an extreme measure — because we are now dealing with extreme situations — there should also be targeted sanctions. However, sanctions are not to be applied exclusively, but in addition to other measures. Together, these form a comprehensive approach that should lead to the modification of the conduct of parties on the ground.

Civil society and non-governmental organizations — both local, based within the countries and communities concerned, and international — have crucial roles to play in this exercise. Indeed, that is laid out in great detail in paragraphs 136 and 137 of the report.

I should now like to say one word about whether or not we are talking about situations beyond the context of conflict: no. Some of the abuses described in this report may be reproduced; they may be perpetrated in situations other than conflict situations. But this mandate, this exercise, is strictly about violations that are taking place in the context of conflict.

Finally, a word about the issue of resources. The mechanism being proposed for monitoring and reporting — and this is stated explicitly in the report — does not envisage the creation of a new entity or structure within the United Nations. Rather, it calls for the streamlining, the coordination, of the existing actors and existing structures, both on the ground and at the Headquarters level. Secondly, in connection with resources, particularly at the ground level if the operational actors — such as UNICEF, the Office of the United Nations High Commissioner for Refugees and non-governmental organizations — are to perform well the roles envisaged in this mechanism, they will

need to strengthen their capacities, such as staff; for example, they will need to provide better and more targeted training. And that will have implications in terms of the resources that they will mobilize in the way in which they usually mobilize resources for programmes of this nature.

All of the other points are well noted; I shall take up some of them bilaterally, especially the exceedingly important critique provided by the delegation of India, reiterating points that they have previously made. We are having an ongoing bilateral dialogue on those very important points.

Finally, we are very grateful to you, Mr. President, for sending the clearest possible signal that our children matter and their protection matters because the future of our societies matters. I also thank the Ministers from France, Japan and Tanzania, who came from their capitals to be here today to lend their support and influence to this project. Finally, I thank the members of the Council and the other representatives for their participation.

The President (*spoke in French*): I thank Mr. Otunnu for the clarifications that he has provided.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

> "The Security Council has considered the matter of children and armed conflict and taken note with deep concern of the continued recruitment and use of children by parties to armed conflict in violation of international obligations applicable to them, as reported by the Secretary-General in his fifth report (S/2005/72). It reiterates its commitment to address in all its forms the impact of armed conflict on children.
>
> "The Council reaffirms its strong condemnation of the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them and of all other violations and abuses committed against children in situations of armed conflict. It urges all parties to armed conflict to halt immediately such intolerable practices.
>
> "The Council recalls all its previous resolutions, which provide a comprehensive framework for addressing the protection of children affected by armed conflict. It reiterates its determination to ensure respect for its resolutions and other international norms and standards for the protection of children affected by armed conflict.
>
> "The Council recalls particularly paragraph 2 of its resolution 1539 (2004) dated 22 April 2004, requesting the Secretary-General, taking into account the proposals contained in his report as well as any other relevant elements, to devise urgently an action plan for a systematic and comprehensive monitoring and reporting mechanism, which utilizes expertise from the United Nations system and the contributions of national Governments, regional organizations, non-governmental organizations in their advisory capacity and various civil society actors, in order to provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers in violation of applicable international law and on other violations and abuses committed against children affected by armed conflict, for consideration in taking appropriate action.
>
> "The Council takes note of the Secretary-General's proposal for an action plan for the establishment of a monitoring, reporting and compliance mechanism, in accordance with this request and with paragraph 15 (b) of resolution 1539 (2004), and has started consideration of the Secretary-General's proposal.
>
> "The Council reiterates the crucial need for a systematic and comprehensive monitoring and reporting mechanism, and its determination to ensure compliance and to put an end to impunity. The Council further reiterates its intention to complete expeditiously the process of the establishment of the mechanism.
>
> "In this regard, it has started work on a new resolution with the aim of its early adoption and with due consideration of views expressed by the United Nations Member States during the open debate held on 23 February 2005, in order to take forward the implementation of its previous resolutions with a view to ending the recruitment or use of child soldiers in violation of applicable international law and other violations and abuses committed against children affected by armed conflict situations, and promoting their reintegration and rehabilitation."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2005/8.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.55 p.m.

United Nations S/PV.5130

Security Council

Sixtieth year

Provisional

5130th meeting

Thursday, 24 February 2005, 10 a.m.

New York

President:	Mr. Adechi	(Benin)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Brazil	Mr. Tarrisse da Fontoura
	China	Mr. Zhang Yishan
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Leahy

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2005/88)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-24777 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2005/88)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Albania, Luxembourg and Serbia and Montenegro, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Nebojsa Ović, President of the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija.

At the invitation of the President, Mr. Ović (Serbia and Montenegro) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and head of the United Nations Interim Administration Mission in Kosovo.

There being no objection, it is so decided.

I invite Mr. Jessen-Petersen to take a seat at the Council table.

The Security Council will begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, document S/2005/88.

At this meeting, the Security Council will hear a briefing by Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and head of the United Nations Interim Administration Mission in Kosovo. I now give him the floor.

Mr. Jessen-Petersen: The three months since my last report to the Security Council have been marked by a positive trend in what is a crucial year for Kosovo and for the region. The challenges ahead of us in the coming months are, however, considerable. Let me first say a few words on the progress made.

The security situation continues to improve based on strong daily cooperation between the United Nations Interim Administration Mission in Kosovo (UNMIK), the Kosovo Police Service (KPS) and the Kosovo Force (KFOR), to whose Commander and forces I would like to pay tribute. Levels of serious crime are low — indeed, not higher than other comparably populated areas of Europe — and the trend is positive. Crime rates are showing no evidence of ethnic bias in policing or judicial processes. Community policing initiatives and the ongoing successful transition of policing responsibility to the Kosovo Police Service are helping to bring policing closer to all the people of Kosovo. Where additional security measures are required for particularly vulnerable areas, these are taken.

Two recent trips, by the Prime Minister and by the President of Serbia, passed off without incident and confirmed the professionalism of KFOR, the UNMIK police and the KPS, and the good cooperation among them.

While we have made progress, the Kosovo security environment does, however, remain fragile. I therefore welcome the recent decision by NATO to maintain KFOR's operational capabilities during this crucial year.

Members of the minority communities continue to feel insecure. Kosovo's Serb community is, regrettably, often the victim of misinformation that is

disproportionate to the facts on the ground. Fears, whether fuelled by misinformation or by intimidatory acts, and even when not borne out by facts, translate into largely self-imposed limits on freedom of movement, and, thus, limits on access to employment, health care, electricity, justice and education. These perceptions of insecurity also prevent many displaced Kosovo Serbs from returning to their homes. The Prime Minister of Kosovo, Ramush Haradinaj, has set an example to political leaders and officials, and to the people of Kosovo, by continuing to reach out to Kosovo Serbs and other minorities through repeated, inclusive public statements and through visits to municipalities, where he has met with returnees. It is important that other political leaders and citizens follow his example.

The new two-party coalition government has, since taking office on 3 December 2004, undertaken a sustained effort to accelerate standards implementation on the basis of a number of priority standards goals and indicators to measure progress, agreed upon between the government and UNMIK. As members know, priority standards goals are those central to the improvement of the rights and living conditions of minority communities and to the building of a multi-ethnic, democratic and stable Kosovo.

The conclusions of the technical assessment before the Council are clear: The Provisional Institutions of Self-Government have made tangible progress, but there is further to go to ensure that the positive processes are translated into action on the ground. The new government is aware of that and continues to be committed to delivering standards as its first priority. Leadership by the Prime Minister and his Cabinet are creating both ownership and accountability. I am pleased to report to the Council a key step forward in the construction of democratic institutions in Kosovo. In accordance with the Constitutional Framework and in fulfilment of his commitments to me and to representatives of the international community, President Rugova has announced his resignation from the position of president of the political party he helped to found, the Democratic League of Kosovo.

In recognition of the central role of municipalities in delivering the most essential standards, the Prime Minister wrote to the presidents of all municipal assemblies to ask them to directly target their efforts on a number of immediate priorities agreed between the Government and UNMIK — including the use of languages, equal employment, property rights and returns — and to set clear deadlines for action. That initiative by the Prime Minister has resulted in considerable efforts and the beginning of results in many municipalities. I shall report on the full extent of the efforts and the results achieved in my next technical assessment.

All the elements of institution-building that I have mentioned, and upon which the implementation of standards is based, are important and will help the institutions of Kosovo better serve all the people of Kosovo in the future.

The Government has undertaken the reconstruction of almost all properties damaged or destroyed last year in March — nearly 900 houses in all, plus several schools. It has also provided cash grants to returning families. The Government and UNMIK are committed to achieving progress in the reconstruction of certain Orthodox churches and monasteries. The Provisional Institutions have transferred €4.2 million into the 2005 budget to finance the reconstruction of religious sites. Regrettably, progress has been blocked since last September by a senior figure in the Serbian Orthodox Church. However, the Holy Synod has now decided that Serbian Orthodox Church will re-engage constructively on the basis of the earlier agreement, a decision that opens the way to progress on church reconstruction.

The Government is moving on the devolution of authority to the local level to realign centralized structures of the past with European standards of local self-government. That is a complex and difficult exercise anywhere, and Kosovo is certainly no exception. Nevertheless, we do detect a welcome degree of interest transcending ethnic division on the part of local authorities to implement the process, as that process offers tangible benefits to all. To succeed, the process must be aimed at bringing municipal authorities closer to citizens. It must be an essential element in the process of integration, and, if successfully implemented, it will defeat the forces of division and do away with parallel structures once and for all.

The Government has just agreed on five pilot municipalities, two of which are of particular interest to Kosovo Serbs. The next step will be to define the exact nature of additional municipal competencies,

with particular attention given to areas such as policing, justice, education and health. As we move forward in that delicate and difficult process, it is important that all political parties at the central and local levels, as well as all communities, are involved and that a Kosovo-wide consensus on the way ahead is pursued.

Over the last six months, we have accelerated the transfer of competences from UNMIK to the Provisional Institutions of Self-Government in areas not related to sovereignty. Three new ministries — those of Communities and Returns, Local Government Administration, and Energy and Mining — have been established and are now becoming operational. In the field of the economy, significant transfers are taking place. We are looking at transferring further responsibilities in the areas of justice and police. Those transfers go hand-in-hand with an emphasis on accountability, including the availability of corrective measures if officials block progress. The Prime Minister has already demonstrated readiness to deal with non-performing officials. In order to ensure that transferred competencies can be exercised efficiently, we are also encouraging donors to coordinate and better target their efforts to help the Provisional Institutions of Self-Government build capacity across all areas.

Economic stagnation remains a serious concern. Unemployment is rampant, the social safety net is non-existent, and social and economic hardship could at any moment turn into a threat to political stability. The European Union's UNMIK pillar, which is under new leadership, is making some progress, and we are giving privatization greater impetus. However, it is clear that we will not find miracle solutions.

Real progress on the economy requires certainty on status combined with a healthy environment for investors and a functioning market economy. At present, we are focusing on short-term job generation, microcredit schemes and other measures that provide some degree of hope, in particular for young people, to pre-empt dramatic expressions of frustration. The Government is engaged in developing a comprehensive Kosovo development plan comprising different sectors of the economy, including energy, to help chart the road ahead in the medium and the long term.

The full receipt of telecommunications revenues would give an important boost to the economy in Kosovo. In that context, I am pleased that a study group of the International Telecommunication Union (ITU) has just concluded that there is no obstacle to the allocation — on a temporary basis and in accordance with Security Council resolution 1244 (1999) — of a dialling code to UNMIK, in line with our request. We trust that the ITU will now rapidly allocate such a code, as requested by the United Nations, and thus help stimulate the economy.

Work is proceeding on a census of the population of Kosovo, which will — and should — include internally displaced persons in Serbia and Montenegro. That is needed as a basis for important activities, including the development of economic strategies and the reform of local self-government. We are looking at best practices from recent similar exercises in the region. The Provisional Institutions will present their project document to a donors' meeting on the census next month.

As we move forward, dialogue remains essential at various levels, including local dialogue between majority and minority communities. Regrettably, following their election boycott last October, Kosovo Serbs are still staying outside most political and democratic processes. There is some progress, however. A Kosovo Serb recently joined the Government as Minister for Returns and Communities, and Kosovo Serbs have participated in recent talks on decentralization. However, it is my impression that many Kosovo Serbs are frustrated and are waiting for more positive signals from Belgrade. They know that their future lies in Kosovo - as confirmed by Mr. Tadić, the President of Serbia, during his recent visit to Kosovo — and they need to take an active part in the democratic process to help shape that future.

I am pleased to inform the Council that direct dialogue between Pristina and Belgrade is about to resume, after 12 months of boycott by Belgrade. It has now been confirmed that the Working Group on Missing Persons will resume its work on 10 March, with the International Committee of the Red Cross acting as chair. I hope that the Working Group will make a significant contribution to an early resolution of one of the most painful legacies of the war. We are also discussing other areas of dialogue with Belgrade, and I am hopeful that the recent more positive signals

from Belgrade will result in an intensification of the direct dialogue.

The regional dialogue with Tirana, Skopje and Podgorica continues to develop in a variety of fields, including the economic one. We expect high-level visits to Pristina from both Skopje and Tirana to take place shortly.

Finally, in the international field, UNMIK, KFOR and Kosovo's Provisional Institutions are maintaining close and frequent contact with the Contact Group — meeting about every six weeks in Pristina — and with our close partners NATO, the European Union and the Organization for Security and Cooperation in Europe. We also have frequent and continuous dialogue with the United Nations Educational, Scientific and Cultural Organization and the Council of Europe, among others. Last Monday, I had the opportunity to brief the EU foreign ministers on the situation and the way ahead, and I stressed the key role that the European Union must play, in close cooperation with the members of the Contact Group and, of course, with the United Nations.

So there is progress, but at the same time problems do remain. Much more has to be done to reassure the minorities that they have a future in Kosovo, to guarantee freedom of movement for the minorities, and to speed up the process of returns of displaced persons. There is constant pressure from our side for progress, and we are holding the Provisional Institutions of Self-Government fully accountable for continuing to make progress in line with the promising start of the Government. At the same time, the improvement of the economy in the short term, pending the outcome of status discussions, must receive and is receiving constant attention and action.

Following my next technical assessment in May, a comprehensive review of standards is planned to take place in mid-2005. Should that review conclude that sufficient progress has been made, the international community should be prepared to embark on a process leading to status talks. My evaluation is that we have a good chance of keeping to that timetable and that the process leading to status talks could therefore begin in the second half of this year. At the same time, we must also understand that, as we move towards the status process, tensions may rise. The Kosovo Albanians who want to enter that status process have understood that violence will be a major setback. On the other hand, those bent on derailing the process may see violence as their only means to do so. The message must be clear: Provocations and violence cannot be allowed to stop progress towards a stable, multi-ethnic society in Kosovo.

I will not comment today on the principles that will guide status talks, with one exception. As I mentioned when I addressed the Council last November, the partition of Kosovo is simply not a realistic option as we move forward. The society we are trying to build in Kosovo must have space for all communities as a stable, tolerant, multi-ethnic democracy. As such, all talk about the partition of Kosovo becomes an agenda for those who may be eager to reignite the divisions and flames of the past. Partition, in my view, would betray European values of integration and coexistence. Partition would also sacrifice the 60 per cent of Kosovo Serbs who do not live in the North, and it would reopen many wounds that are slowly beginning to heal throughout the region.

2005 is a key year for Kosovo. There is now broad agreement on a clear way forward and a clear timetable that could lead us to the negotiations on final status in the second half of this year. To defer that process for much longer would only prolong the pain, increase the risks and delay the day when the region turns its back on a painful past and moves forward towards a common European future.

Almost 14 years after the outbreak of a series of wars across the former Yugoslavia, and nearly six years after NATO intervened to put a halt to gross violations of human rights in Kosovo, 2005 is the year in which we must seize the opportunity to resolve one of the last conundrums of the former Yugoslavia: ensuring peaceful coexistence and mutual tolerance among all communities in Kosovo. The Provisional Institutions of Self-Government, the institutions and the people of Kosovo have further to go in implementing the priority standards, but initial progress, determination and effort, and accelerated pace are all tangible. I count on the Security Council to continue supporting the efforts of the institutions and the people of Kosovo to develop and shape their society and their future in Europe – as I have said, a multi-ethnic, stable, tolerant and democratic Kosovo at peace at home and at peace with its neighbours.

The President (*spoke in French*): I shall now give the floor to Mr. Nebojsa Ović, President of the

Coordination Centre of Serbia and Montenegro and Montenegro and of the Republic of Serbia for Kosovo and Metohija.

Mr. Ćović (Serbia and Montenegro) (*spoke in Serbian; English text provided by the delegation*): First of all, I would like to greet the Council on behalf of the Council of Ministers of Serbia and Montenegro and of the Republic of Serbia and express my appreciation for being able to participate in today's meeting of the Security Council on Kosovo and Metohija. I would also like to thank the Special Representative of the Secretary-General for his comprehensive report.

Time and again, I have tried to draw the attention of the Security Council to the difficult position of the Serbian and other non-Albanian communities in Kosovo and Metohija, which has not often been properly addressed in the official reports coming from the province. In recent talks with international officials, I have been told that the world is tired of repeatedly coming back to this issue, that Kosovo and Metohija will never be like Switzerland in terms of the standards of a modern democratic society, and that it is necessary for Belgrade to change its approach in order to board the train which is leaving the station, with or without us.

Even at the risk of being reproached again, I cannot but repeat that the conditions of life of Serbs and other non-Albanians in the province are unacceptably poor. The Secretary-General has also unambiguously noted that fact in his latest report on the situation in Kosovo and Metohija. On this occasion as well, I would like to express my appreciation to the Special Representative who, despite the aggressive Albanian and international campaign to portray the achievements of the newly-elected Provisional Institutions of Self-Government in a more favourable light than the actual situation warrants, has consistently insisted that none of the standards was even close to being fulfilled.

The pretext for such a situation should be sought neither among the Kosovo Serbs nor in Belgrade, but in the general environment prevailing in the province, characterized by a lack of political maturity on the part of the leaders of the majority community. Let me offer some examples that convincingly illustrate the reality in Kosovo and Metohija. The Parliament and Government of Kosovo and Metohija are not truly multi-ethnic. There is no protection for non-Albanian communities from being out-voted. There is no strategy to resolve the massive unemployment or to embark upon economic recovery. There is a lack of opportunity for Serbs and other non-Albanians to find employment in the public sector, and a lack of elementary security for Serbs and other non-Albanians, whose freedom of movement is limited to the "humanitarian bus service" and the "freedom of movement" train. The ongoing illegal privatization serves as a basis for the further ethnic cleansing of Serbs and other non-Albanians by economic measures. The constant attacks and incidents against Serbs are neither isolated, nor condemned, nor countered by efficient measures by the local political leadership.

Serbs and other non-Albanians are deprived of all linguistic rights. Serbian property continues to be looted without any protection by the local authorities and police. There have been no returns of expelled and displaced persons nor any efforts to encourage returns. No municipality in Kosovo and Metohija has worked out a plan or a strategy for returns.

No efforts have been made to reconstruct the Serbian cultural heritage, and the Serbian Orthodox Church has been falsely blamed for that.

All forms of organized crime continue to thrive in Kosovo and Metohija, not only multi-ethnic but also multinational. The Kosovo Protection Corps (KPC) is a training ground for Albanian extremist groups committed to violence; the KPC is preparing to become an army, in direct violation of resolution 1244 (1999).

Serb and other non-Albanian national communities have practically no confidence in the political and administrative system in Kosovo and Metohija; they are totally prevented from taking part in all political processes, having been fully marginalized as second-class citizens.

Since October 2000, Pristina and Albanian leaders have been consistently evading the necessary dialogue with Belgrade, shifting the blame to Belgrade. The media in Kosovo and Metohija are promoting hate speech on a regular basis and are broadcasting falsehoods about Serbian and other non-Albanian communities; they have been engaged in a campaign for the province's independence, and carry hardly any Serbian-language broadcasts. There is no rule of law, and Serbian and other non-Albanians do not have access to the judicial system.

Despite such a situation, an inappropriate decision to open the question of the future status of Kosovo and Metohija has been made under the pretext that the perpetuation of the status quo is no longer possible. Understandably, no one is in favour of perpetuating the status quo in Kosovo and Metohija, least of all Belgrade. But we should be aware that the implementation of key provisions of resolution 1244 (1999) would be a major step forward, a move away from the status quo.

Clearly, with regard to the most sensitive issue related to Kosovo and Metohija — the preservation of its multi-ethnic character — not only has there not been any headway in the implementation of the resolution, but the situation has worsened. For almost six years now, the new reality of Kosovo and Metohija has been that one national community, the Serbian one, has been disappearing under pressure from, and violent acts by, the majority community. If this is an important yardstick for measuring the standards in the implementation of the rule of law, democracy and minority protection, not only do we have a status quo in Kosovo and Metohija, we have a general regression. These facts cannot possibly be hidden in any way. In light of these facts, how can we contemplate the perspective of a future status of Kosovo and Metohija at all?

Since their deployment in the province in June 1999, the international forces have been trying to put in place the standards of a modern multi-ethnic and democratic society. Three years ago, that approach to the resolution of the problems of Kosovo and Metohija was defined and officially called "standards before status", which Belgrade supported. Despite the negative assessment of the implementation of these standards — also indicated in the report of the Secretary-General — unjustifiably optimistic assessments were made that after six years of poor results, a turnaround and major progress would occur in just a few months, thus creating the conditions for negotiations on the future status of the province.

At the same time, there are suggestions that the "standards before status" will be reformulated into a "both standards and status" policy, which actually implies the recognition of the failure on the part of the international community and a search for a quick exit strategy, deliberately embracing a detrimental compromise as regards the creation of a truly multi-ethnic and democratic society in Kosovo and Metohija.

I would like to take this opportunity to emphasize that since the democratic Government took over in October 2000, Belgrade's approach has remained the same. We have been sincerely trying, as partners with the international community, to contribute to the establishment of a multi-ethnic society and to confidence-building. Immediately after the democratic changes took place in Belgrade, in 2000 and 2001, with the assistance of and in partnership with the international community, we jointly achieved great success in defusing the crisis in the south of central Serbia. However, when we tried to apply a similar approach in Kosovo and Metohija, we were blocked and all our initiatives were immediately rejected, since they came from Belgrade.

We are firmly committed to helping in a constructive manner so that the months-long deadlock in relations with Pristina are overcome as soon as possible. I would like to recall that this deadlock was a consequence of a mass organized pogrom against the Serbs carried out by the Albanian extremists in March last year. We believed then, as we do now, that the question of the survival of the Serbs is directly connected to more efficient and more reliable institutional protection for them as a community in Kosovo and Metohija. That is why we have focused our activities on decentralization as a crucial issue of security and institutional transformation of Kosovo and Metohija. In doing so, we did not want to diminish the importance of the so-called technical issues. However, in conditions of physical endangerment of the Serbian national community those issues were objectively less important. We do not believe that by placing some of these technical issues back on the agenda, the problem of decentralization has lost its crucial importance in the province.

In view of the above, we raised the issue of revitalizing the working groups for missing and abducted persons and for energy with the Special Representative, and we sought to initiate the process of reconstruction of the churches and monasteries damaged or destroyed in last year's wave of violence. The meeting of the working group for missing and abducted persons will be held in Belgrade on 10 March, and we hope that it will contribute to the resolution of this sensitive and, above all, humanitarian issue.

Some steps have also been taken in order to start the work of the high-level group on security, as well as

of working groups for decentralization, transport and returns. We hope that initial results will already be seen in the next few weeks. I would like to take this opportunity to reiterate that Belgrade stands ready to participate fully in all processes in Kosovo and Metohija — however, on an equal footing, from beginning to end of each individual process, including the process of decentralization.

Let us return, in the end, to the popular metaphor that has been often used recently to describe the unfolding of the process in Kosovo and Metohija. Where is the train — which I mentioned at the beginning of this statement — heading? If the final destination is Europe rather than it being a local train, the train should allow us to travel steadily towards the full implementation of all standards of modern European States and to full membership in the European Union. There should be no stops at side stations, where bad compromises are made in reaching for the standards of a truly multi-ethnic society and where the borders of a mono-ethnic State are drawn. If its destination is Europe without compromises, Belgrade will be on that train.

Ms. Løj (Denmark): First of all, I should like to welcome Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), to the Council. I thank him for a comprehensive, interesting and encouraging briefing. This is only the second time that Mr. Jessen-Petersen has reported to the Council, and we are already full of respect for the impressive results he has achieved so far.

The representative of Luxembourg will shortly make a statement on behalf of the European Union. Denmark fully associates itself with that statement.

I would like to express my gratitude for the report of the Secretary-General that we have before us today, which contains UNMIK's second quarterly technical assessment of standards implementation in Kosovo. We will discuss a third assessment in May. Thus, we are at the halfway point in this essential but intricate process, which will have decisive influence on the future of Kosovo and indeed on the stability and prosperity of the broader region of Southeastern Europe. It is encouraging that the report highlights tangible progress in the reporting period, and we welcome that. Tribute should be paid to UNMIK and to the Special Representative, but also to the new Government, which has demonstrated real commitment and determination.

It is, however, notable and perhaps to be expected that the report concludes that at this stage progress in some key areas remains insufficient and further work is needed. We may be at the halfway point in time, but we are not yet halfway in implementation. It is therefore important that the Council today give its full support to the Special Representative and his staff in their admirable efforts to keep up the pace of the process. No one involved in standards implementation can afford to slow down now. The momentum must be maintained, and the focus should be strictly kept on the prioritized standards concerning the rule of law, freedom of movement, returns, functioning local institutions and security. In that way, our overall aim of securing a multi-ethnic Kosovo will be kept constantly in sight.

With a decision on a comprehensive midyear review on the horizon, we will in the coming months closely follow and measure the political commitment of the Provisional Institutions of Self-Government and of the Kosovar communities in general to the standards process. Realistically, the 400 or so detailed indicators laid out in the Standards Implementation Plan will take some years to fulfil completely. But without an unambiguous demonstration of the political will and the administrative capacity to do it, we will not be able to move beyond the present phase.

In that regard, we call on all authorities and communities of Kosovo to engage in dialogue and standards implementation. The continued unwillingness of the Kosovo Serbs to do that is worrying, counterproductive for themselves and unhelpful for the process. The Provisional Institutions cannot be held accountable for delays caused by the unwillingness of the Kosovo Serbs to participate in the process. Belgrade and other opinion leaders in Kosovo bear their fair share of the responsibility for rectifying that situation. I welcome the fact that Belgrade has decided to resume direct dialogue with Pristina and that the working group on missing persons will meet in early March.

The Provisional Institutions of Self-Government should be given a real chance to show their worth. We support a further transfer from UNMIK to the Provisional Institutions of all competencies not directly involving sovereignty. That should be accompanied by

greater accountability and increased capacity-building. In other areas, the Provisional Institutions should be consulted in order to create a sense of local ownership.

Decentralization is an equally important element in the way forward, as it is instrumental in forming a basis for the political integration of minority communities and for the dissolution of parallel structures. We support the decentralization plan of UNMIK and the Provisional Institutions, while we encourage Belgrade to take up the advisory role for the Kosovo Serbs that has been reserved for it in these discussions.

In his last briefing to the Security Council three months ago, the Special Representative stressed that the international community would soon have to move beyond managing Kosovo as a "holding operation". My Government shares that view. A decision to start negotiations on Kosovo's final status should come this year. But there is no automaticity as to the start of talks. And while the reintegration of Kosovo into Serbia or the territorial division of Kosovo into Serb and Albanian areas may not be feasible solutions, there is no predetermined outcome of such talks. Any outcome will be conditioned primarily on the authorities' ability to secure a democratic and multi-ethnic Kosovo.

As any solution should be based on the broadest possible acceptance both locally and in Belgrade, it is our hope that all parties will participate in a constructive manner. Also crucial to such a process will be an endeavour to deal efficiently with Kosovo's dire economic situation. It is important for the efforts to secure economic growth and employment in Kosovo that UNMIK have access to international lending institutions. The clarification of property rights and, at a later stage, of Kosovo's future status will help to attract severely needed foreign direct investments. In general, probably only a regional approach to economic development and a common long-term European perspective will provide the framework necessary for narrowing the economic gap with the rest of Europe.

Finally, I should like to stress that an unconditional prerequisite for maintaining the positive momentum we now see in Kosovo is the maintenance and even the strengthening of security. Security in Kosovo has improved considerably since last March. We recognize and welcome that. But as the difficult questions of decentralization and rebuilding a multi-ethnic society are successfully dealt with, as suspected war criminals are summoned to the Tribunal in The Hague and as status talks approach, security could come under pressure. Some observers warn us that new inter-ethnic violence could erupt. Let us hope that they are overly alarmist.

But if such a scenario materializes, there will be no room for compromise or for pragmatic acceptance of impunity. Criminals responsible for the riots of March last year are being prosecuted, and the international community should be equally steadfast with regard to situations that might arise in the future.

Kosovo is entering a decisive period, and therefore it is particularly important that any political moves be safeguarded with the right level of military and police preparedness. The UNMIK police and the Kosovo Police Service have shown great skill and professionalism in tackling difficult situations — for instance, during the visit to Kosovo of Serbian President Tadic. KFOR has strengthened its operational capabilities, and we welcome NATO's intent to maintain its strong presence to deal with challenges that may arise. The Council should make absolutely clear that no group will be allowed to make political gains through provocations or through violence or the threat thereof.

So on the basis of what we have heard here today, it is with a strong sense of optimism and progress that we encourage the Council, the Secretary-General and the Special Representative to stay the course and to keep up the pace of standards implementation as we move into what will probably prove to be a very decisive year for Kosovo.

Mr. Denisov (Russian Federation) (*spoke in Russian*): Our delegation is grateful to the Secretary-General for his report on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) and to Mr. Søren Jessen-Petersen, Head of the Mission, for his comprehensive briefing on the situation in the province. We also note the participation in and the statement made at today's meeting by the President of the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija, Mr. Cović.

The assessments contained in the report and in the statement made by the Special Representative of the Secretary-General to a large extent echo our view

of the processes occurring in Kosovo, Serbia and Montenegro. Despite some advances, progress in the implementation of standards in Kosovo remains, so far, uneven.

As the report notes, none of the eight standards has been so far implemented. We agree with the view of the Secretary-General that real progress in standards implementation in Kosovo will become possible only when the statements and the intentions of the political leaders of the province are reflected in concrete, effective action that brings solid results.

The non-participation by the Kosovo Serbs in the activities of the province's Provisional Institutions of Self-Government proves that Kosovo is still far from resolving the main challenge of creating a multi-ethnic and democratic society. The level of minority trust in the Provisional Institutions of Self-Government for Kosovo remains low. Moreover, the fears of the non-Albanian communities are being fuelled by all kinds of incidents that often are not eliciting due reaction from local political leaders. The provincial authorities are not taking the necessary action to prosecute those responsible for ethnically based crimes, to organize a system to monitor violations of the language laws, or to establish a culture of human rights and tolerance, particularly among the young people of Kosovo.

Efforts are still insufficient to speed up the process of returns. We are convinced that today the Provisional Institutions of Self-Government must take visible practical steps to create conditions that would encourage minorities to cooperate with the provincial authorities and to participate in all ongoing activities in Kosovo. The majority community, as is quite rightly noted in the report, must create a climate in which members of the minority communities, in particular the Kosovo Serbs, feel confident that they can return to Kosovo and that they can remain there. The speedy restoration of power supplies to the Kosovo Serb enclaves would be of great political and humanitarian importance.

The priority tasks of the Provisional Institutions of Self-Government in Kosovo, as we see it, include achieving concrete results in the priority areas of providing security, freedom of movement and equal rights for ethnic minorities, as well as post-March rebuilding and accelerating refugee returns and the return of displaced persons from the non-Albanian community.

Of course, as the Secretary-General quite rightly warns, any outbreaks of violence such as the ones that took place in Kosovo in March 2004 would be a step back in the process of finding a political settlement.

Let me make another specific point as well. We deem of great importance for the normalization of inter-ethnic relations in the province the restoration, with the constructive cooperation of the Orthodox Church, of religious and cultural heritage sites that were damaged or destroyed during the outbreak of violence that took place in March 2004.

Frankly, there is something we do not fully understand. We were surprised to hear statements to the effect that the Serbian Orthodox Church has opted out of these reconstruction efforts. In this situation, which is very delicate, we believe that a special role could be played by the United Nations Interim Administration Mission in Kosovo (UNMIK) in helping to find a mutually acceptable option for resolving this problem for the Provisional Institutions of Self-Government and the Serbian Orthodox Church.

Moreover, we believe that involving Belgrade in the negotiating process would help to find a solution to the whole range of priority problems for the ethnic minorities in the province. We, like the Secretary-General, take note of the recent proposal by Belgrade to resume direct expert dialogue on missing persons and on energy. The constructive participation of all parties could only help to restore trust and bring about reconciliation among the communities.

Reforming local government is important to the normalization of the situation in Kosovo. We believe that it is appropriate to continue the practice of consulting on decentralization within the format of the September meeting that was held in Vienna, that is, with the participation of the representatives of UNMIK, the Provisional Institutions of Self-Government of Kosovo, Kosovo Serbs, Belgrade and the Contact Group. This is particularly useful given the need to establish constructive interaction between the United Nations Mission and the Provisional Institutions of Self-Government with the Kosovo Serbs and Belgrade.

We welcome the progress that has been made in resolving economic difficulties in Kosovo. We take note of the increased oversight over the pension system and the banking sector of the province, as well as the fact that the process of privatization is continuing and

that, on the whole, there is some capacity-building of the Provisional Institutions of Self-Government in the economic sector.

However, assigning additional authority to the Provisional Institutions of Self-Government should be accompanied by greater accountability and greater effective control over its activities by the head of UNMIK. In particular, there should be appropriate sanctions against those persons whose actions run counter to the tasks set forth in the Kosovo standards. We deem it exceptionally important that the Secretary-General has drawn the conclusion that resolution 1244 (1999) is the essential political platform for reaching a settlement in Kosovo. We remain committed to the comprehensive strategy of the Secretary-General for Kosovo as well as to full and consistent support for the policy of standards before status.

The lasting stabilization of the province will be possible only if there is an agreed international strategy, with the lead role being played by the Security Council. We deem highly useful the initiative of Romania to dispatch to Kosovo a Security Council mission right before the next assessment, so that Council members could have firsthand information to form an objective picture of the situation in the province.

We firmly believe that there can be no automaticity in launching the upcoming political process for determining the future status of the province unless there is real progress towards the implementation of democratic standards and unless the Security Council takes a specific decision in that respect.

Russia, for its part, is prepared to cooperate very closely with the Secretary-General and with his Special Representative, with the head of the United Nations Interim Administration Mission in Kosovo, Mr. Jessen-Petersen, as well as with partners in the Contact Group, in the interest of consolidating stability and security for all inhabitants of the province.

Mr. Kitaoka (Japan): Mr. President, I would like to thank you for convening today's public meeting. I wish also to thank the Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen, for his briefing, which I found very illuminating and insightful. We are fully aware of the fact that today's meeting has significant implications for the coming comprehensive review of the implementation of the standards planned for the middle of this year.

Japan welcomes the relatively smooth establishment of the coalition Government of Provisional Institutions of Self-Government, based on the results of the election held last October, as evidence of political maturity in Kosovo, which was also acknowledged as such by the Secretary-General. We would like to commend the proactive efforts of the new Provisional Institutions for the implementation of the standards, and we welcome the fact that measurable progress has been made towards the implementation of the standards, coupled with noteworthy concrete steps in several areas.

Japan, however, acknowledges that many challenges remain to be addressed by the Provisional Institutions of Self-Government on the implementation of the standards. In particular, I am concerned that progress has been impeded in the areas of minorities' freedom of movement and sustainable returns. While I would like to express Japan's appreciation for the efforts of all parties concerned, such as KFOR, to maintain security as a prerequisite for implementing the standards, it is important to point out that minorities' fear is the major obstacle confronting them. Therefore, I would also like to strongly urge political leaders in Kosovo to make further initiatives to remove such fear.

From that perspective, Japan calls on the Provisional Institutions to engage in an inter-community dialogue initiative in order to rebuild confidence and trust. Through these efforts, we expect increased participation by Kosovo Serbs in the standards implementation process. They will also have the effect of reminding us that the implementation of standards must benefit all the people of Kosovo.

Japan appreciates the progress made in the discussions on decentralization, as reported by the Secretary-General. The results of the pilot projects that are scheduled to be carried out in March in several sub-municipal bodies, including one in an area where mainly Kosovo Serbs reside, will be of importance in that regard. I would like to reiterate my request here for the united efforts of all Kosovo political leaders in this undertaking. At the same time, the Belgrade authorities must halt their assistance to parallel structures and must encourage all Kosovo Serbs to

participate in the political process in Kosovo, including in discussions on the issue of decentralization.

Macroeconomic indicators show Kosovo to be in a calm recovery phase. Noting, however, that the unemployment rate remains high, and that the poverty rate is increasing, we continue to recognize that the economic situation in Kosovo remains serious. We expect that Mr. Joachim Rücker, the new head of the UNMIK's pillar IV, in cooperation with the Provisional Institutions, will make the utmost effort to realize economic development through the privatization of socially owned companies and the formulation and implementation of a social development plan.

Japan also shares the view expressed in the report of the Secretary-General that the lack of reliable electricity is a serious constraint on Kosovo's development. However, while the stable provision of electricity is essential for the long-term development of Kosovo, taking into account that electricity is a basic need of the inhabitants of the region, the reform of Kosovo's energy sector should not be politicized. Japan calls on all parties concerned to seek a solution to this issue with earnest and sincerity.

Japan co-hosted the Ministerial Conference on Peace Consolidation and Economic Development of the Western Balkans last April and is working on the follow-up activities to that meeting. We wish to reaffirm our commitment to the region, including our intention to provide assistance, in cooperation with the international community, to advance the Kosovo Standards Implementation Plan. As a member of the Security Council, Japan would like to express its readiness to participate constructively in the comprehensive review of the standards scheduled for the middle of 2005.

Mr. Mayoral (Argentina) (*spoke in Spanish*): At the outset, I would like to join previous speakers in thanking the Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen, for his thorough briefing on activities carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK), in accordance with Security Council resolution 1244 (1999), and on events in Kosovo between 1 November 2004 and 31 January 2005.

My delegation wishes to underscore positive signs highlighted in the Secretary-General's report on progress in implementing a comprehensive and integrated strategy. We agree with the report's assessment that increased attention to standards implementation on the part of the Provisional Institutions of Self-Government and efforts to ensure that implementation is carried out — such as the establishment of a coalition government following the October 2004 elections and public demonstrations in support of the standards — are all encouraging signs.

That not withstanding, we cannot fail to mention that the same report says that none of the eight standards has been completely fulfilled. We, therefore, urge the Provisional Institutions, political leaders and members of all communities to make every effort to ensure effective fulfilment of the standards. In that context, we join in the Secretary-General's appeal to the Kosovo Serbs to participate constructively in the institutions and processes of Kosovo and that the Serbian authorities encourage this participation so that Kosovo Serbs will participate in the local government reform process.

In addition, we believe that the Provisional Institutions must take visible measures to facilitate the return of displaced persons. The majority community must create a climate in which members of minority communities, in particular the Kosovo Serbs, feel safe enough to return and to stay in Kosovo. The Serbian authorities must also encourage this process. Moreover, we believe that the majority community must facilitate and ensure actions that would create the conditions required for broad participation on the part of minority groups in all aspects of life in Kosovo, particularly by promoting their trust in the political and administrative systems and their participation in the political process. We feel that this is essential.

It is also worrying to see that there are still parallel structures in the health and education sectors. We, therefore, appeal for compromise and cooperation among those who are responsible for creating and promoting a stable multi-ethnic society.

We know that this cannot be achieved while minority communities are still concerned about their safety and their freedom of movement, and until interaction with members of the majority community is encouraged. The lack of such interaction inevitably heightens existing ethnic division. In addition, those fears and concerns become greater as a result of isolated incidents that are not always condemned. Once again, we call on the government to take the measures necessary to punish ethnic crimes, to set up a system

that will penalize violations of the language laws and promote a culture of human rights, and to faithfully implement the guidelines and standards established by UNMIK on respect for the rights of minorities.

Finally, my delegation wishes to draw attention to the need to meet the remaining priority standards goals in the economic area. The marginalization of minority communities in terms of access to employment and in terms of income will not help create a sustainable multi-ethnic Kosovo. In this context, we trust in the commitment of the new government and in Prime Minister Ramush Haradinaj to maintain their political will to deliver standards for Kosovo as a priority and thus to correct the inequalities that still persist.

Mr. Baja (Philippines): We too are grateful to the Special Representative of the Secretary-General, Ambassador Jessen-Petersen, for his comprehensive briefing. We appreciate the progress made in some areas, which Mr. Jessen-Petersen described to the Council this morning. Nevertheless, in trying to solve a problem like Kosovo, it is time to face some realities.

First, Kosovo has been run practically as a United Nations protectorate for the last six years. Although the Security Council sat out the Kosovo conflict, in significant ways it has owned the problem. Kosovo cannot remain in some sort of international limbo indefinitely. Secondly, under present circumstances, neither Kosovo's return to Belgrade's rule, nor its partition, nor any possible unification with Albania has a sporting chance of being supported. Thirdly, neither Kosovo Albanians, nor the Kosovo Serbs, nor Belgrade is able to adopt more accommodating positions.

This morning we heard a dichotomy of assessments of the situation in Kosovo. The problem for some delegations, in particular that of the Philippines, is not only what we still do not know, but what we do know that may not be so. Therefore, under the present circumstances, the suggested mission to Kosovo becomes a necessity.

We believe that it is time for the international community to begin to act decisively. NATO, which prosecuted the war, and the Group of Eight, which negotiated the peace, have key roles to play. The Security Council should not allow Kosovo to dangle much longer.

The six-member Contact Group should be able to devise a more viable road map for Kosovo. After all, four members of the Contact Group are permanent members of this Council, and the other two have their own passion with regard to the issue of permanent membership in the Council.

I think time is of the essence. A repetition of the deadly uprising in March last year is an unwanted but likely possibility if continuing uncertainty prevails on the ground. The economic situation, as painted this morning by the Special Representative to the Secretary-General, could be a ticking bomb and should be diffused as soon as possible. Another series of incidents like those of March 2004 would unravel whatever progress or gains NATO, the European Union, the government in Kosovo and the United Nations Interim Administration Mission in Kosovo (UNMIK) have achieved for Kosovo. Another explosion like that of March 2004 would unleash the dogs of another war which would generate regional instability. Even a well-endowed UNMIK may be unable to contain the escalation of such an explosion.

Therefore, a process for determining the future status of Kosovo, with timelines and guarantees for the protection of minority rights and other human rights, is an attractive approach. We are gratified to know that this process could begin in the middle of the year. The challenge for the Council is to ensure that when the train leaves, the important passengers are on board.

Mr. Baali (Algeria) (*spoke in French*): I should like to thank Mr. Søren Jessen-Petersen for the excellent introduction he gave us to the report of the United Nations Interim Administration Mission in Kosovo (UNMIK) and to pay tribute through him to members of the United Nations mission for the outstanding job they have accomplished in the field.

The Council's consideration of the progress report on its agenda today allows us to appreciate the progress made — limited, of course, but still significant — in the process of the stabilization and normalization of the overall situation in Kosovo.

My delegation welcomes the establishment of the coalition government following the elections of last October and its commitment to continue on the path of reform, to consolidate local institutions and to implement established standards for Kosovo. The commitment of Kosovar leaders to quickly complete the rebuilding of property and the social and educational infrastructure that was damaged during the reprehensible events that took place last year, and their

resolve to relaunch the process of the return of displaced persons, are a positive development. That commitment is also a sign of the beginning of a process of détente and of an improvement in the situation in the best interests of all.

However, the progress remains insufficient, vis-à-vis the standards set by the international community and the expectations of the local people for improved economic and social conditions. Moreover, the fact that the Kosovo Serbs are not participating in the democratic process remains a source of concern for the international community and is a major obstacle to the advent of a democratic, tolerant and multi-ethnic Kosovo.

We take the opportunity to reiterate once again our appeal to all parties to participate fully in confidence-building efforts, to strengthen relations and to promote reconciliation among all Kosovars. The attainment of those goals is primarily incumbent upon the leaders and people of Kosovo, but it is no less for the international community to create all conditions for the comprehensive and successful implementation of established standards and to proceed, as soon as possible, to consideration of the basic question of the final status of Kosovo.

Mr. Tarrisse da Fontoura (Brazil): I wish to thank Special Representative Jessen-Petersen for providing us thorough information on the current situation in Kosovo. My delegation continues to appreciate and support his work and that of the United Nations Interim Administration Mission in Kosovo (UNMIK). We consider that his balanced technical assessment of progress in standards implementation offers an accurate picture of progress made and the challenges that remain for the future.

There seems to be little doubt that, in spite of encouraging movements by the Provisional Institutions, standards implementation is our toughest challenge in Kosovo. The report of the Secretary-General before us today refers to tangible progress that has to be made. We note, in this regard, achievements in the functioning of democratic institutions, such as the holding of fair and free elections and the establishment of a coalition government. We also note the improvement of the Kosovo Police Service, which is now fully multi-ethnic. Other noteworthy achievements are the establishment of ministries for communication, communities, returns and m and the approval of legislation for economic ref

In spite of the good progress made reporting period, none of the eight standard were laid out for Kosovo by the inter community has been completely fulfilled refugees and displaced persons are still afraid to their devastated towns and villages. Limited such as the reconstruction of some houses through the Kosovo consolidated budget, have effective in addressing persistent problems. F last year's ethnic violence could be re-ignited minorities from feeling safe in a homeland tha their own. Kosovo authorities have already that such violence will not be repeated, but th work harder and in concrete terms towards rel the confidence that has eroded since last March.

In fact, it is clear that the situation of m continues to be extremely precarious. Their da are still hampered by restrictions of movemen basic rights are not respected. Access to public and economic opportunities is still denied Moreover, sporadic manifestations of hatred them show that ethnic rivalries continue to sim that context, we can understand why the maj Kosovo Serbs regard the standard related to the law as the most important one.

Although we recognize the steps that hav taken towards democratic reform, we belie Kosovo's authorities should do more to effective participation in governmental struct minorities, and especially by the Serb m Kosovo Serbs must also do their part by e actively in the government and in the political p

Although calm, the security situation rem source of concern. Mr. Jessen-Petersen warns state of things in Kosovo is still fragile and period of increased risk of incidents lies ahea Albanian majority must have realistic expec regarding the decision concerning the status otherwise frustration can lead to resentme turmoil, which would in fact be detrimental fulfilment of their own aspirations.

We once again urge the Provisional Institu continue to address as their highest priority the the implementation of standards as a whole. Fa do so will obstruct the beginning of the pro determine the final status of the province. A join

is needed by the international community and the Kosovo authorities to foster progress in the area of standards. In that regard, we support the efforts of the Contact Group to facilitate dialogue between the parties. We hope that the next meeting of the Group, which is scheduled to take place this week, can foster that dialogue.

A more positive contribution by Belgrade is also needed. The conditions established for the resumption of dialogue should be reviewed in the light of the willingness shown by the Kosovo government to engage in constructive talks. The authorities in Serbia and Montenegro are about to resume dialogue with Pristina. We also encourage them to avoid sending mixed signals that have thus far prevented the Serb minority from participating in all aspects of the process.

Brazil remains especially concerned about the human dimension of the situation in Kosovo. Uncertainty regarding the political future continues to mar prospects for badly needed economic recovery. In that regard, we once again stress the urgency of tackling unemployment, rural backwardness, gender disparity and deficits in the education, health and social welfare systems.

Resolution 1244 (1999) and the "standards before status" policy constitute a viable path to peace and reconciliation. In a year in which so many important decisions must be taken, unwavering political will and frank dialogue are needed more than ever to lead the province safely down the path towards a multi-ethnic, democratic and prosperous Kosovo that is at peace with its neighbours and that makes a contribution to stability in the Balkan region.

Mr. Motoc (Romania): We too are grateful for the briefing by Mr. Jessen-Petersen, Special Representative of the Secretary-General. Mr. Jessen-Petersen has a firm grip on the job in Kosovo, as has already been demonstrated by the good results achieved. I would like to take this opportunity to reiterate Romania's full support for Mr. Jessen-Petersen as he tackles this year's many challenges. As always, we would also like to express our highest appreciation for, and encouragement to, the men and women of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR), as well as the staff of other international organizations and agencies working in Kosovo. I also thank Mr. Nebojsa Ćović, President of the Coordination Center for Kosovo and Metohija, for his briefing.

Romania associates itself fully with the statement that will be delivered later by the Ambassador of Luxembourg on behalf of the European Union.

The year 2005 is a significant one for Kosovo and the whole region of the Western Balkans. We need stability and security in Kosovo. But above all, we need a tolerant and democratic society there. Dialogue and thorough implementation of standards are essential. We welcome the signs of progress described in the report of the Secretary-General. There are indications of growing political maturity in Pristina, as proven by a rather smooth electoral process and the energetic approach to standards by the new government. We appreciate in particular the efforts made to disseminate the message on standards as broadly as possible among the population.

However, we will know that standards have succeeded when Serbs no longer fear for their lives in Kosovo. We recall the document on standards for Kosovo, which states that the future of Kosovo must be one in which all people — regardless of ethnic background, race or religion — are free to live, work and travel without fear, hostility or danger, and where there is tolerance, justice and peace for everyone. That is not yet the case in Kosovo.

We are aware that standards have multiple and complex dimensions. There are painful problems related to the economy, the rule of law, corruption, organized crime and so on. Children going to school under military escort, as described in the Secretary-General's report, is not a sign of normalcy, nor is it something that one can durably build upon. Fear for one's life and security — especially if that fear is ethnically motivated — must be addressed politically and in an urgent manner. That makes it one of the biggest challenges ahead for the political leaders of Kosovo. It will also be a clear and objective test of the implementation of standards. We also call on Serbs living in Kosovo to work with UNMIK and the Provisional Institutions of Self-Government to find ways to end such fears.

Dialogue at all levels, between all communities in Kosovo and between Belgrade and Pristina, is crucial at this moment. Romania notes the impediments to dialogue thus far. Nevertheless, we echo the call by the

Council of the European Union and the High Representative, Javier Solana, to all communities in Kosovo and to authorities in Belgrade and Pristina to engage in substantial dialogue.

Romania continues to promote the idea of a Security Council mission to Kosovo in the course of this year. We believe in the importance of such a mission, as it has been more than two years since the last one took place, in December 2002. Although the best moment for such a mission is yet to be determined, the Council needs to take its messages closer to all actors involved. It must also find ways to stimulate cooperation and dialogue between Belgrade and Pristina.

In that regard, I am pleased to welcome the comments made today by Mr. Jessen-Petersen and Mr. Ćović with regard to prospects for the resumption of direct dialogue between Belgrade and Pristina. We hope that such a dialogue will be a meaningful one this time.

As for what needs to follow the standards evaluation, we reiterate our belief that a solution for Kosovo must flow from and be based on the broader European and Euro-Atlantic integration processes. Romania welcomes the recent confirmation of such a policy by the EU Council. Moreover, we believe that the legitimate concerns of countries in the neighbourhood should be duly taken into account.

Mr. Mahiga (United Republic of Tanzania): I should express my appreciation to Mr. Søren Jessen-Petersen, the Special Representative of the Secretary-General and head of the United Nations Interim Administration Mission in Kosovo (UNMIK). We commend the dedication of the entire United Nations Mission in Kosovo.

I join others in welcoming the current report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. It is yet another reminder that we cannot give up on our belief in and insistence on a multi-ethnic Kosovo in which all ethnic groups can live freely without fear. We commend the work being done by the Special Representative. We also share his dedication to ensuring that the situation in Kosovo does not degenerate, but improves to serve the aspirations of all people to justice, peace and prosperity in a multi-ethnic Kosovo.

We are encouraged by progress made by the Provisional Institutions of Self-Government in the implementation of the standards for Kosovo. We note with concern, however, that, although work on the standards has intensified, progress in many areas has been slow and that none of the set eight standards has been completely fulfilled. It is absolutely essential that the political leadership in Belgrade and Pristina do more work and engage in serious dialogue towards the full implementation of the standards.

It is encouraging to note that there are internally self-generated signs of political maturity in elections and Government formation based on democratic principles. That must be welcomed, strengthened and consolidated. We welcome the positive commitment of Kosovo's opposition parties to playing a more constructive role and to respecting the Constitutional Framework.

The implementation of the standards remains key for Kosovo. Thus, new mechanisms and structures need to be put in place for specific actions with the potential for providing positive results. The standards are important, as they address a multiplicity of concerns that are legitimate, fair and necessary. There is no alternative to the standards and they should not be renegotiated.

We urge greater efforts to be made to obtain the cooperation of the Kosovo Serb community with the Provisional Institutions, since that remains a major hurdle to constructing the necessary institutions of governance under the Constitutional Framework. At the communal level, more deliberate initiatives are required to promote incremental measures for more inter-communal trust, interaction and accommodation.

The progress made in the area of local Government reform is commendable and needs support so as to increase the pace of the devolution of authority at the local level. Local communities need to be encouraged to make full use of this opportunity to enrich their cultural identities and aspirations while overcoming politically motivated ethnic divisions.

We encourage the measures, albeit still limited, that have been taken in promoting gender equality, including the filling of obvious gender gaps and the revisiting of legal issues, together with the development of an action plan for gender equality.

We note that the security situation has remained stable and that the safety of minorities has improved slightly. None of us can rest until all the people in Kosovo are secure and at peace with themselves. That freedom of movement has remained delicate is a source of concern that requires urgent attention. Kosovo Serbs who consider themselves at risk need to be reassured of their freedom.

Efforts directed at infrastructure development, humanitarian assistance, the reconstruction of buildings, the supply of reliable electricity and the strengthening of monetary institutions are crucial in addressing Kosovo's economic difficulties. We urge efforts by all, including international partners, donors and relevant agencies, to enhance the assistance that Kosovo and its people need for their future.

Lastly, we recognize that the President of Serbia, Boris Tadic, paid a visit to Kosovo last week — the first visit by a President of Serbia since the inception of UNMIK in June 1999. We welcome such visits and hope they will serve to build confidence among the people of Kosovo. We hope that Belgrade will continue to be more forthcoming and supportive in the ongoing efforts to build bridges between the majority and minority communities in Kosovo and to enhance mutual trust and accommodation. We commend the assistance of the UNMIK police to the Kosovo Police that helped in making the visit successful.

Mr. Vassilakis (Greece): I would like to thank the Secretary-General for his report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK). We also would like to thank his Special Representative and head of UNMIK, Mr. Jessen-Petersen, for his comprehensive briefing on the situation in the region.

I would also like to thank the President of the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija, Mr. Nebosja Cović, for his participation in today's meeting.

Greece associates itself fully with the statement that will soon be made by the Ambassador of Luxembourg on behalf of the European Union.

We agree with the analysis of the Secretary-General that, in the aftermath of elections and the creation of a coalition Government in October 2004, the international community is witnessing encouraging signs of commitment by the leadership of the Provisional Institutions to the implementation of the standards. We also share the Secretary-General's overall assessment that, while concrete steps have been taken in some areas, the progress is uneven.

The transition from the elections to the installation of the new coalition Government was held in a smooth and democratic manner that showed increasing maturity on behalf of the Provisional Institutions and the Kosovar political parties. That maturity has, however, to be extended to all parts of Kosovar political life and especially to the implementation of the standards.

The new Government has indeed undertaken serious efforts to accelerate the implementation of the standards, prioritizing those most affecting minority communities. A number of elements from the Standards Implementation Plan are reportedly complete. A number of new mechanisms have been set up and a number of measures taken or are envisaged to be taken.

And yet, we have to note with concern that, as the report recognizes, none of the standards has been fully implemented, while there is a discrepancy between the progress reported in the implementation of the standards and the equally verified widening of the gap in the ethnic divide among the two communities. In the months to come, we should therefore ensure that due attention be paid not only to the observance of the listed actions and recommendations under the standards Plan, but also on how that translates in the reality of the lives of the communities on the ground.

Encouraged though we may be by the early signs of progress, now is the time to focus on the obvious shortcomings. Progress, as amply demonstrated in the report, is for the most part limited to the central power institution structures, with the rest of the system unwilling or unable to follow. The report also rightly points to the fact that the Provisional Institutions have failed to embark on the crucial undertaking of rebuilding the confidence and trust of the minorities. The new notion, set out in the report, of differentiating between the reality and the perception of security for the minorities can be misleading. And in any case winning the battle against perception is sometimes winning half the war.

A serious effort to revitalize the returns process and to improve freedom of movement and the public-

sector employment rates of members of minorities, and, in general, a robust outreach to minorities by the provisional authorities at all governmental levels, would go a long way towards ensuring real and full progress.

As the Secretary-General several times emphasizes in his report, there cannot be full progress in standards implementation without the participation of the Kosovo Serbs and, thus, without a resumption of the dialogue with Belgrade. In that spirit, we welcome the recent letter from Mr. Cović to the Special Representative of the Secretary-General calling for a resumption of the meetings of the working groups on missing persons and energy, and we join the Secretary-General's call to the Kosovo Serbs for engagement in the local reform process.

A key challenge in the whole process remains addressing the problems of the Kosovo economy. Progress in privatization is essential, along with the strengthening of institutional capacity and infrastructure. This is necessary in order to successfully tackle the explosive unemployment plaguing the society, particularly among young people, and potentially undermining efforts for stability and development.

The restoration of all religious sites and property should be a priority for the provisional authorities. Cultural monuments are part both of the history and identity of the communities in Kosovo and of the common heritage of the region. Their preservation is not only a sign of respect, but a duty as well. We are certain that, with the assistance of the international community, the right framework of protection will be formulated and that reconstruction programmes will be promptly implemented.

The road ahead for Kosovo has been clearly defined, within the parameters of Security Council resolution 1244 (1999). As we are nearing the time of the comprehensive review, progress has to be taken forward beyond the first encouraging signs and uneven results. A lot is still expected from the provisional authorities, as indeed the people of Kosovo expect a lot from the international community. But the goal of a stable, multi-ethnic, democratic and prosperous Kosovo is a prospect worth all the effort.

Sir Emyr Jones Parry (United Kingdom): Like others, I am grateful to the Secretary-General of his report (S/2005/88), to the Special Representative for his briefing and for the energy with which he is carrying out his tasks in Kosovo and to Mr. Cović for his intervention. The United Kingdom associates itself fully with the European Union's statement to be delivered subsequently by the representative of Luxembourg.

The United Kingdom shares the Secretary-General's assessment that progress in implementing the standards for Kosovo in recent months has been tangible and is encouraging, and the view of the Special Representative that the new Prime Minister and his government have shown impressive commitment and energy in striving to achieve the standards. Focus now must be on continued delivery in the run-up to the comprehensive review later this year. Yet, at the same time, the overall situation in Kosovo is fragile. Hence the need for the United Nations, in cooperation with other appropriate organizations, to manage processes and outcomes so that we are not again overtaken by events.

I would like to make four simple points on what we see as the priorities of Kosovo in the coming months. First, Kosovo cannot take its eye off the paramount task of fulfilling the standards, especially those that relate to Kosovo's minority community. The onus is on the Provisional Institutions, on the United Nations Mission in Kosovo (UNMIK) and on all the communities in Kosovo to make sufficient progress on the standards in order for the comprehensive review, which will probably take place this summer, to decide that it is possible to move to the next stage of the process and therefore to start to discuss Kosovo's final status, as is already provided for in resolution 1244 (1999).

That may not be a foregone conclusion, but it is, we believe, achievable if all make the necessary effort and if current trends continue. But standards, particularly those pertaining to the protection of minorities, freedom of movement and the rule of law, are not just a means to starting the status discussion. They are essential to improving the daily lives of all people in Kosovo, and they are also a precondition for European integration. Obviously, any failure to cooperate fully with the International Tribunal in The Hague or any incitement, explicit or implicit, to inter-ethnic violence would be a very serious setback.

Secondly, local government reform is a key to reassuring minorities. The United Kingdom hopes to

see early progress on the five pilot decentralization projects that the new government is now establishing. We hope that these can be launched as soon as possible, and we look forward thereafter to the devolution of further competencies to the municipalities.

Thirdly, Kosovo's struggling economy, with up to 60 per cent unemployment, is obviously a threat to political stability. As regards the European Union and UNMIK's pillar IV, their leadership has an important role in helping the Provisional Institutions to develop an economic development plan and short-term job creation schemes.

Fourthly, Kosovo Serbs remain largely outside Kosovo politics, and we all know the background and the reasons for that. There has been some progress recently with a Kosovo Serb minister in charge of the new Ministry for Returns and Communities, and there has been some Kosovo Serb participation in the decentralization working groups. The prospect of the resumption in March of the direct dialogue working group on the missing, which will take place with Belgrade, is encouraging. But I have to say that, despite the efforts of Mr. Covic, a much more constructive approach is needed from Belgrade. And let me put it to Mr. Covic bluntly, if I may. The only way for Kosovo Serbs to have a say in the future of Kosovo, a future where they can live in peace with their neighbours, is to engage now in the political life of Kosovo. In our view, Belgrade will not be allowed to derail a possible future status process by deliberately obstructing standards implementation.

In conclusion, 2005 will be a key year for Kosovo. The onus lies with the people of Kosovo to make the necessary progress themselves to allow a final status process to start. But the international community, the United Nations, the European Union and NATO must be engaged in ongoing deliberations. The investment being made in Kosovo, if it is to be successful, has to lead to a Kosovo at peace at home and with its neighbours, as Mr. Jessen-Petersen put it in his intervention. But success will also have to recognize that the European destination of Kosovo and its neighbours will be key to insuring that peaceful outcome. But that destination comes with a heavy conditionality.

Mr. Holliday (United States of America): I should like to welcome Special Representative Søren Jessen-Petersen and to thank him for his instructive and thorough briefing. We commend him and his staff for bringing new life to the standards process. The United States appreciates his strong leadership and his hard work in Kosovo. We look forward to continuing to support him and the rest of the United Nations Interim Administration Mission in Kosovo (UNMIK) as they work to implement Security Council resolution 1244 (1999).

Next month will mark the one-year anniversary of the deplorable violence that erupted in Kosovo. This moment of reflection one year later provides an opportunity for Kosovo's leaders and people to recommit themselves to fulfilling the internationally endorsed standards and to ensuring security and freedom of movement for all its communities.

In that regard, we welcome the energy and determination that the new government of Kosovo's Provisional Institutions has brought to the implementation of the standards for Kosovo. Although some progress has been made, it is important that more be done, particularly in securing the right of refugees and displaced persons to return to their homes, in ensuring security for all communities and in reforming local government. The momentum and the focus that has been applied in recent months must continue, especially at the local level, where progress in some of those areas has thus far been insufficient.

In addition to helping to improve the lives of all residents of Kosovo, sufficient progress on the standards is necessary so that the international community can begin a process to determine Kosovo's future status. We reaffirm that mid-2005 will present itself as the first opportunity for a comprehensive review of Kosovo's progress in implementing the standards, as set out in the Council's presidential statement of 12 December 2003 (S/PRST/2003/26).

We welcome UNMIK's prioritization of the standards as an important step in helping Kosovo to prepare for the mid-2005 review. We also welcome UNMIK's effort to work with the Provisional Institutions to reform local government throughout Kosovo. Decentralization is an area of special importance in implementing the standards and will help make local governments more responsive to the needs of their residents. We welcome recent progress in producing a work plan for the Ministry of Local Government Administration, and we urge the

Provisional Institutions to launch an initial tranche of pilot projects as soon as possible.

The best chance to build a multi-ethnic, democratic Kosovo will come if all of Kosovo's communities participate. We encourage the Kosovo Serbs to rejoin Kosovo's political institutions and working groups, and we urge Belgrade to support that engagement. It is not appropriate to deride the conditions for minorities in Kosovo while refusing to engage in efforts to improve them. In that regard, we welcome the plans to resume the dialogue between Belgrade and Pristina on missing persons, and we encourage the resumption of all aspects of the Belgrade-Pristina dialogue.

We also reaffirm the need for all the Governments of the region to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia. That would be not only an important step in moving beyond the legacy of war, but foundational to the establishment of the rule of law.

Mr. De La Sablière (France) (*spoke in French*): At the outset, I wish to thank the Special Representative of the Secretary-General for his briefing, which is a useful supplement to the report of the Secretary-General. I wish to express to him once again France's full support for his activities in Kosovo. His determination, his energy and his leadership qualities have made it possible to maintain a very constructive climate for the international community's efforts in Kosovo. We therefore thank him once again for that. Our thanks go also to General Yves de Kermabon, Commander of KFOR, who in full cooperation with Mr. Jessen-Petersen is leading the stabilizing activities of the international military presence in Kosovo.

The Permanent Representative of Luxembourg will shortly make a statement on behalf of the European Union. I associate myself with that statement, and therefore I shall make only a few comments.

First, I would refer to the Secretary-General's report on standards implementation in Kosovo (S/2005/88), which was issued last week, to note that it welcomes the commitment of Kosovo's provisional authorities to make progress on the eight standards set out by the international community. But, together with the Secretary-General, we also wish to note that progress in many areas remains insufficient and that there is still much to do to ensure the protection of minorities, freedom of movement, the return of displaced persons and refugees, the rule of law and the fight against organized crime.

In particular, we agree with the Secretary-General's emphasis on returns and the rights of Kosovo's communities, and we expect concrete results from the provisional authorities in that area. The responsibility of the majority community is to create a climate in which the members of minority communities, particularly Kosovo Serbs, feel that they can live in Kosovo in normal conditions of safety and dignity.

I would also like to stress that we can move forward towards resolving this matter only if substantial progress is made in those priority areas. That has been the consistent position of the Security Council. The provisional authorities must not only make progress in the areas that concern them, but also permanently sustain the progress made. That is the only way we will be able to decide whether to begin negotiations following the comprehensive review that must be carried out later in the year.

From that perspective — and this is my last point — we appeal to all parties to participate actively and constructively in the processes under way in Kosovo. I would like to stress that my country supports the Secretary-General's appeal to the Kosovo Serbs to become constructively involved in Kosovo's institutions and his appeal to Serbia's authorities to encourage them in that regard. It is only through participation in the institutions and implementation of the standards — not through withdrawal or defiance — that the legitimate interests of the various parties can be taken into account.

Mr. Zhang Yishan (China) (spoke in Chinese): I should like at the outset to thank the Secretary-General for his report and to thank Mr. Jessen-Petersen for his briefing. I should also like to thank Mr. Ović for participating in this meeting and for his statement.

Mr. Jessen-Petersen has done a great deal of active work since he assumed his post last year, and we express our appreciation to him for that. We believe that in his future work he will continue to earnestly carry out the mandate entrusted to him by the Security Council.

This is a crucial period for Kosovo. The current developments in the situation will have an important bearing on its future and on the stability of the entire Balkan region. We have always believed that a sound and comprehensive settlement of the question of Kosovo will require comprehensive implementation of resolution 1244 (1999).

During the most recent period, the situation in Kosovo has remained generally stable. We welcome the active efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) and of the Provisional Institutions of Self-Government to implement the standards in relevant fields. However, we also note that progress in some key areas remains insufficient, including promoting the return of refugees and ensuring the safety and freedom of movement of minority communities.

We also note that progress has been slow in addressing the issues of employment and economic development and in improving the lives of members of minority groups. We hope that Kosovo's leaders will cooperate actively with UNMIK to undertake further measures in those areas to effectively promote trust and reconciliation among all ethnic communities, thus laying a solid foundation for peaceful coexistence among all of Kosovo's communities. In addition, we hope that the Provisional Institutions of Self-Government and Belgrade will resume direct dialogue as soon as possible. That is essential in order to steer developments in the situation in Kosovo in the right direction.

This year is a crucial one for Kosovo. We believe that during this next stage work should focus on the implementation of the relevant standards in all areas. We hope for a sincere and pragmatic spirit on all sides, which will help promote implementation.

Any acts of violence such as those that occurred last March would have very serious and negative consequences and are therefore unacceptable. We hope that Kosovo can achieve substantive results in the economic and security areas and thereby effectively improve the lives of all the peoples of Kosovo.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of Benin.

I should like to thank the Special Representative of the Secretary-General for having introduced the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK). We particularly appreciated the objective technical assessment of the implementation of the standards-before-status policy.

We have gleaned from what we heard that the situation in Kosovo is, on the whole, developing satisfactorily and that significant progress has been made in standards implementation. We particularly welcome the progress made by the Provisional Institutions of Self-Government in Kosovo since the October 2004 elections. We welcome the fact that there has been strict compliance with the Constitutional Framework and the rules of the Kosovo Assembly, and we commend the ongoing efforts made by the new Government to ensure respect for the consistent implementation of standards to stabilize the political, economic and security situation in Kosovo, as well as to reinforce the multi-ethnic nature of Kosovo.

We encourage the Government to continue to work towards effective minority integration. We agree with the Secretary-General, who stresses that the Government of Kosovo will be judged on its efforts to build confidence among minorities without losing the confidence of the majority. Therein lie the true challenges that need to be met in order to make Kosovo a multi-ethnic, viable and liveable entity where all communities can be on good terms with each other and work together for a consensus-based management of their daily lives, so that they can design, and have a future together in, a shared society.

We believe that the Government needs to step up its initiatives to overcome the reluctance of the Kosovo Serb community to cooperate with the Provisional Institutions. The Government must promote constructive dialogue with the authorities of Serbia and Montenegro to that end. The Serbian side must be willing to engage in that dialogue.

Belgrade's opposition to the participation by Serbs in the Provisional Institutions of Self-Government has been a real impediment to the implementation and the attainment of the principal goals of the standards-before-status policy. We welcome Belgrade's willingness to resume direct dialogue within the working groups on missing persons and on energy. UNMIK should, for its part, also intensify discussions with the Belgrade authorities, because participation by minorities is the only realistic

option for creating understanding among communities that are bound by a common history and by their commitment to a common land where coexistence is their only choice.

Likewise, it is important for the Kosovo authorities to take a clear stance on inter-community incidents, which continue to taint the atmosphere in the province. However minor they may be, they have a major impact on the subjective considerations which mould people's perceptions about security and give rise to confidence among minority groups.

We encourage all countries in the region to try to find solutions that suit all parties and to restore the inalienable rights of all communities living in Kosovo. For its part, the international community must remain mobilized and speak with one voice to the parties involved in Kosovo to obtain the results we hope to see.

I now resume my functions as President of the Council.

The next speaker on my list is the representative of Luxembourg. I invite him to take a seat at the Council table and to make his statement.

Mr. Hoscheit (Luxembourg) (*spoke in French*): I have the honour to speak on behalf of the European Union. The acceding countries Bulgaria, Romania, Croatia and Turkey and the European Free Trade Association (EFTA) country Iceland, member of the European Economic Area, align themselves with this declaration.

Let me begin by thanking the Special Representative of the Secretary-General and head of United Nations Interim Administration Mission in Kosovo (UNMIK), Mr. Jessen-Petersen, for his briefing and by reiterating the European Union's full support for his work towards implementation of Security Council resolution 1244 (1999).

It has been nearly a year since the political process was derailed by an outbreak of violence in Kosovo in March 2004 and a few months since the central-level institutions began to function. The European Union shares the Secretary-General's assessment that the Provisional Institutions of Self-Government have shown "some encouraging and tangible progress" in their commitment to the implementation of the standards. The new Government's publicly stated resolve in this regard is duly noted.

The European Union supports UNMIK's prioritization of actions carried out within the framework of those standards that most directly affect minority communities and the goal of a democratic and multi-ethnic Kosovo, especially those concerning the return of refugees and internally displaced persons, the protection of minority communities, freedom of movement and decentralization. In that context, the European Union calls on the Provisional Institutions to make full use of the increased competencies recently transferred to them by UNMIK. It encourages UNMIK to examine the possibility of further such transfers.

Given the important milestones coming up in 2005, we welcome the substantial dialogue between all Kosovo communities, as well as between Belgrade and Pristina. The European Union calls upon all communities to participate actively in the ongoing process leading to the reform of local government and to the establishment of a decentralized and sustainable administration that can guarantee the protection of minority communities and improved living conditions for the population at large.

In that context, the European Union calls particularly on the Kosovo Serb community to engage constructively in the Provisional Institutions at a central level. Kosovo Serbs must recognize that it is in their immediate interest to participate in the ongoing political process; that is the best way for them to promote their legitimate concerns and to have a say in shaping the future of Kosovo.

While the European Union is encouraged by the fact that the authorities in Belgrade have announced their readiness to restart a direct dialogue with Pristina, it regrets that they have not as yet encouraged Kosovo Serb participation in any of the ongoing processes.

While recognizing that progress in the implementation of some of the standards has been made, substantial further progress across all eight standards will be necessary, particularly on the priority actions taken in the framework of those standards. This is especially important given the fact that we are approaching the comprehensive review of overall progress made towards implementation of the standards, to be held in mid-2005. That review will have a major impact on the timing of final-status talks, and it is therefore in the common interest of all

concerned to ensure that real, verifiable progress has been made in the implementation of the standards.

In the long term, and with the European perspective for the Western Balkans in mind, accelerated implementation of standards should not be viewed as a goal in itself nor as a quicker way to a decision on the future status of Kosovo. Through this exercise of implementing the standards, and thereby building a sustainable democratic and multi-ethnic society, the people of Kosovo will move closer to realizing that European perspective.

In that regard, the European Union underlines that full and unrestricted cooperation with the International Criminal Tribunal for the Former Yugoslavia is an international obligation and an essential requirement for further rapprochement with the European Union.

The European Union has been steadfastly at the side of the people of Kosovo throughout the post-conflict period by providing the lion's share of resources — military, financial and human — to repair the damage of war and decades of under-investment. The European Union will continue to help Kosovo to make progress towards sustainable economic development. However, such development is contingent on the creation by UNMIK and the Provisional Institutions, as a matter of priority, of the necessary conditions in the framework of a comprehensive, integrated strategy compatible with the European Union.

I wish to conclude by reiterating that Kosovo will not return to a pre-1999 situation and that the European Union is unwavering in its commitment to helping a democratic and multi-ethnic Kosovo, characterized by the protection it provides to its minority communities, on its way to full integration in Europe, regardless of its future status.

The President (*spoke in French*): The next speaker is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Nesho (Albania): Allow me at the outset to express my delegation's appreciation to the Secretary-General for his report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2005/88).

Let me also welcome the presence at this meeting of the Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen, and thank him for his excellent briefing on the situation in Kosovo.

On behalf of my Government, I would like to commend Mr. Jessen-Petersen for his tireless and professional work as head of the Mission, for his effective cooperation with the Kosovo Institutions and with all other stakeholders, and for his active diplomacy in the region. Once again, I would like to assure him of Albania's full support.

We would also like to acknowledge here the important contribution of UNMIK and of the Kosovo Force (KFOR), both of which have definitely played a role in bringing about a much better situation in Kosovo today.

The year 2005 is an important one for Kosovo. In a few months the standards implementation review will take place. Albania shares the Secretary-General's assessment that the recent period, since his last report, has marked significant progress. As the report notes in paragraph 2, "encouraging and tangible progress" has been found in the "commitment of the Provisional Institutions of Self-Government to the implementation of the standards. Overall performance has improved", and "work on standards has intensified". Also, as noted in paragraph 4, "the new Government has undertaken serious efforts to accelerate the implementation of the standards". We know that much more remains to be done, but those are tangible accomplishments for UNMIK and the new government headed by Mr. Haradinaj, who, as the report notes in paragraph 2 of annex I, has demonstrated an "outstanding personal commitment to standards, and to accelerating standards delivery".

These accomplishments show movement along the right track, good will and the necessary commitment. They form a solid and optimistic basis for further overall progress on the implementation of the standards during the upcoming months. The implementation of the standards is a complex and long-term process that needs time, capacity and the cooperation of all political factors in Kosovo with the international community. The commitment of all parties and their shouldering of responsibilities in this process will make possible the fulfilment of the required standards.

It is important to highlight that an effective, multi-ethnic, stable and democratic society in Kosovo requires, first of all, adherence to prior commitments and focus on the minority issues, good governance and decentralization.

The issue of minorities, as a basic element of a multi-ethnic society, demands the engagement of governmental institutions at all levels and civil society in Kosovo. We have encouraged the Government of Kosovo to pay closer attention and to work harder in this area; to exert further efforts to revitalize the return process; to expand the inter-community dialogue, and to respect the rights of minorities, including their cultural and religious heritage. We are pleased to note that the Secretary-General states in paragraph 6 his report that "the Government has made the enhancement of minority rights a priority in its programme".

Meeting those objectives not only demands the vision, disposition and commitment of the Kosovo leadership; it also requires the will, engagement and efforts of the Serb community to become part of and a contributor to the new democratic and multi-ethnic society in Kosovo. The non-participation approach, the boycott of the political elections, disengagement in the Assembly and the provisional government, and outside influences in the activities and decision-making of the minority communities not only impede progress in standards implementation but also calls into question the establishment of multi-ethnic institutions and society.

The Serb minority is a part of Kosovo society and, as such, has equal rights and obligations. There is no excuse for a lack of willingness to engage and participate in political life, decision-making and even the process designed to address their special needs. The parallel structures should immediately be dismantled in order not to keep that minority a hostage of the past.

Good governance is a priority objective for the governing institutions of Kosovo. The establishment of the rule of law, an independent judiciary, public administration and respect for private property are indispensable in this respect.

Meeting the standards requires that more competences and responsibilities be transferred to local authorities and that privatization be accelerated. That process would have a positive impact on economic development and on the climate for foreign investment in Kosovo.

Decentralization remains a key process for the establishment of a democratic society in Kosovo. We think that this process should take into account the following three important aspects: respect for the parameters set out in the principles of the Council of Europe on this matter; broad, but gradual, implementation; and the avoidance of cantonization, which would impede the normal functioning of a multi-ethnic society in Kosovo. The Albanian Government holds the view that decentralization should be in parallel with the shaping and strengthening of the central government structures and that the autonomy of local authorities should not avoid or harm the vertical line of power and, what is more, should not encroach upon the territory of Kosovo. We see this as a necessary process that will help the economic, social and cultural development of all communities, strengthen local initiative and bring all the communities closer to the decision-making process.

The standards implementation review requires preparation and commitment by the international community with respect to opening the discussion on the status of Kosovo. As we approach mid-2005, "standards with status" might be the most realistic approach. That would generate a positive impact on the internal developments in Kosovo, as well as on stability, peace and security in the region.

Albania firmly believes that the international community and the Security Council, in cooperation with the Contact Group, the United States of America and the European Union — which have always had a major constructive role in fostering a just and stable balance in the region — need to move forward with the discussion of the status of Kosovo. The solution of the status issue is an indispensable factor for short-term development, as well as for the long-term prospects of Kosovo in the European family.

The Albanian Government thinks that the process of discussion and definition of the status of Kosovo has to take into consideration some basic elements which will undoubtedly produce a long-term solution that would have a positive impact on stability, peace and security in the region. Among them, we would like to mention the following: respect for the democratically expressed free will of the people of Kosovo; guarantees with respect to protection of and respect for minority rights in Kosovo, including guarantees regarding the protection of the legacy of cultural and religious

values, and ruling out the partition of the territory of Kosovo.

Albania remains fully committed to cooperating with the Security Council and the international community in finding just and long-term solutions that will better serve peace and security in the Balkans. As part of the region's trend towards Euro-Atlantic integration, Albania's policy is oriented toward the future, bearing in mind that the past belongs to the past and should not become an obstacle to that future. Certain irreversible realities have to be accepted with courage and realism in any country in the region. Only in that way will we strengthen our cooperation and achieve our common future in the European family.

The President (*spoke in French*): Mr. Nebojsa Ćović, President of the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija, has asked for the floor, and I call on him now.

Mr. Ćović (*spoke in Serbian: interpretation provided by the delegation*): I am very grateful for the statements made at this meeting. I have just a few comments to make on what the Council has heard today.

I must make it clear that the Serbs are not victims of misinformation: their sense of insecurity is a consequence of the horrific reality that for nearly six years they have faced in Kosovo and Metohija. Since 2001, I have had the opportunity to observe and participate in the ongoing process. I have attended a number of Security Council meetings on this subject, including meetings that took place before 17 March 2004. At that time, we were full of optimism and we hailed the great achievements that had been made. Then came the events of 17 March. Everyone said that they amounted to a mere incident, but after all that has happened I will leave it to Council members to decide whether that was indeed the case.

We are in an environment that limits our options. Our choices have been reduced to the following. If the status quo remains, there will be violence. If the status quo cannot continue, some Council members have said that Kosovo and Metohija will never come under Belgrade's rule or that the situation will never revert to that of 1999.

Some members have also said that the partition of Kosovo is unacceptable. I appeal to them to take that one step further and say whether or not they would view independence for Kosovo as acceptable. Perhaps we should attempt to have such an exchange of views, because the problem of Kosovo and Metohija has gone beyond the constraints of diplomatic exchanges of views that focus on great achievements, impressions and so forth. For nearly six years, more than 200,000 people have been unable to return to their homes.

Some speakers today, with the best of intentions, spoke of the lack of good will on the part of Kosovo Serbs. What sort of good will must the Serbs demonstrate when their houses are set on fire, when they must go to work in armoured vehicles and when their children need armed escorts to go to school? Does that reflect the multi-ethnic society and the standards we are all fighting for?

I do not think that this is an easy problem. I do not think that Mr. Jessen-Petersen has an easy job. But I appeal to Council members to stop accusing Belgrade of things for which it bears no blame. If the international community is to blame any party for the failure and incompetence of those who should be addressing the Kosovo issue, that party is not Belgrade. Belgrade will accept responsibility, but only where it bears blame.

The Contact Group needs to be able to influence the assessment of standards implementation. Here, let me speak of the standards relating to returns. Assessments of progress cannot be limited to intentions or desires. When we assess progress on returns, we need to know how many people have returned and how many of them have remained in their homes. We know that many will not return, and we do not wish to be biased in that regard. I know that some will respond that numbers are not that important. But they are indeed important. I was encouraged by the most recent report of the Secretary-General (S/2005/88), because it has begun to make use of figures and percentages: that is the only way that progress can be assessed.

We also heard today that security conditions have improved. How can that be measured? Is it measured by a smaller number of Serbs being killed or injured? It is just that they have learned to keep out of harm's way: that is the reality of Kosovo. Perhaps no one wishes to see that reality, but we must work to improve the situation.

We heard that the situation can be seen to have improved because President Tadic and Prime Minister

Kostunica have visited Metohija. If that is an indication of improved security, then I agree. But this assessment should not be misused with respect to political processes. We have said that Belgrade would not impinge on any such processes; as long as I am in my present position, we will place no obstacles in their way. But we have also promised that we would not accept an arrogant approach on the part of the United Nations Interim Administration Mission in Kosovo (UNMIK). We can cooperate in the process, but it must be on an equal footing. I request the Council's support in that regard, which would help both us and Mr. Jessen-Petersen.

Encouraging Serbs to participate in the Institutions is no easy matter. I regret that no speaker today mentioned the fact that at one point Serbs did indeed participate in the work of the Provisional Institutions of Self-Government. They left, however, because they viewed them as lacking credibility and as being a step towards an independent Kosovo. Such a Kosovo would be without Serbs, but it would not bring peace and stability to the region. We have to be serious politicians and consider matters in the long term.

Let me briefly address the question of power outages. I agree that they constitute a technical problem, and I shall provide members with a transcript of our meeting with the Kosovo Energy Company at Prolom Banja in December 2004. All that was said is true, but it should be added that in the past there were 8,000 Serbs among the company's 15,000 employees; today, there are only 28.

Parallel structures were also mentioned. Such parallel structures provide a livelihood for 35,000 people who live and work in Kosovo.

Let us be open and frank about all the issues. I know that Kosovo and Metohija poses a major twenty-first-century problem, but I am here to work constructively to resolve it.

Lastly, let me refer to the country dialling code, which was also mentioned by the Special Representative. The International Telecommunication Union (ITU) has said that it would be possible to have both the old country code and the new country code in place, as well as a sub-code that is part of the current country code for Serbia and Montenegro, 381. It would be possible to do that through Monaco, as has been done thus far. We are available for any talks with the Special Representative and UNMIK to come up with an economical solution. But I appeal to all not to misuse the ITU country code issue.

I also ask that the Secretary-General not prejudge the resolution of the issue of Kosovo's final status. Any change in the current "standards before status" policy — such as a change towards "both standards and status" — would basically be a recognition that the international mission in Kosovo had failed.

As far as Belgrade is concerned, we are at the Council's disposal for any kind of constructive cooperation. But we must be very realistic. No politician in Belgrade is ready or willing to participate in the independence of Kosovo.

The President (*spoke in French*): I now call on Mr. Jessen-Petersen.

Mr. Jessen-Petersen: Let me first thank the members of the Security Council for their many very useful and important observations and statements. It goes without saying that I have listened very carefully. In particular, I would like to thank members of the Council for the many encouraging and supportive words directed at the United Nations Interim Administration Mission in Kosovo (UNMIK) and at my colleagues, who, as all the members of the Council are aware, are working in difficult conditions in Kosovo.

I listened with some perplexity, and even real sadness, to the two statements made by Mr. Ćović. I must say that, in listening to Mr. Ćović, I did not quite recognize the situation he described in Kosovo as the one I know after more than six months on the ground. I will not take up the Council's time to go into details about the many things that Mr. Ćović said. I think that the technical assessment and the report of the Secretary-General (S/2005/88) are clear, as Mr. Ćović just recognized. I believe that, as we presented it this time, the technical assessment has the merit of being based on facts, containing many statistics and being based on reality. I am glad that Mr. Ćović recognized that.

As all the members of the Council have stated — and I agree — the report of the Secretary-General is very clear in stating that there has been tangible progress but that there are still many shortcomings and deficiencies. Our focus over the next several months — working with the Provisional Institutions of Self-Government and, I certainly hope, with the minority

communities and the Kosovo Serbs — will be on addressing all the deficiencies and shortcomings, which are mainly linked to improving the conditions of the minorities.

As I said, I cannot go into all the details. I would, however, just like to give the Council a couple of examples of what, I must say, I find totally out of touch with reality on the ground. Mr. Ović spoke about the lack of basic security. We should not get carried away by statistics, but statistics are important. It is a fact — and we have said it many times — that there has not been one single serious ethnically related incident since last June. The perpetrators in that case were arrested immediately and are now before a court. With all due respect to Mr. Ović, that is not because people are simply not moving about. Many Kosovo Serbs are moving about. Many in fact enjoy freedom of movement. However, we must now focus on those who do not enjoy freedom of movement. They exist, and there are far too many of them. I have made it clear that we cannot talk about sufficient progress in terms of implementing standards so long as some minorities are still forced to live behind barbed wire and are unable to move. But the vast majority of Kosovo Serbs are moving about freely. However, as I said, the fact is that there has not been a single serious ethnically related incident since last June.

Let me correct myself. That is not quite true. Unfortunately, two of the Kosovo Serbs who courageously stood in the election were both victims of serious incidents. After the elections, one candidate was attacked in Belgrade and is now seeking refugee status in a European country. Another Kosovo Serb leader was attacked recently in the northern part of Kosovo. That attack was immediately condemned by all political leaders. Again, it is not correct to say that there are incidents and that they are not condemned. If there are no condemnations it is because there have not been any incidents. In the single case where there was an incident — which, regrettably, was against a very important Kosovo Serb leader — there was an immediate condemnation.

Let me give the Council just one more example, and I could give many. As to the lack of access to the media, the easiest thing for me is to quote from a recent report by the independent Temporary Media Commissioner. It is a direct quote; these are not my words: "Minority access to the media compares favourably with the diversity and breadth of access found elsewhere in the Balkans and, indeed, in much of Europe". I could continue, but I would like to point out that it is important that we base our dialogue on honesty and on facts. Then, I think, together we can move forward.

That is also the reason I welcome the readiness recently shown by Belgrade to resume the dialogue. I have been pushing for that ever since my first visit to Belgrade, at the end of August last year, two weeks after I began my mission. I am very pleased that, as a result of my constant pushing on the importance of a dialogue and of Belgrade's being actively involved, we now have an invitation from Belgrade to resume the dialogue. There have been several references to that. I think that is very important, and I welcome it, because it goes without saying — and I have said it so many times — that Belgrade has a key role to play in this process.

I have just two more comments on Mr. Ović's references to telecommunications and to electricity. The reason that UNMIK, acting in full accordance with Security Council resolution 1244 (1999) and based on a statement from the United Nations to the International Telecommunication Union (ITU) supporting that request, has pushed for that is that right now, with the telephone lines being under the control of entities other than Kosovo, Kosovo is losing around €50 million in revenue a year. In addition to that, I can talk about telecommunications being, of course, a very important engine of the economy, and, as I have said, we need to get the economy moving.

So, we are not in any way intending to prejudge a final status. That is not our mandate; that is not my responsibility. We have simply asked for that telephone code to be assigned on a temporary basis to the United Nations Interim Administration Mission in Kosovo in the interests of the clients and the customers throughout Kosovo. It is a technical issue on a temporary, interim basis — nothing else.

As to the electricity issue, I will not devote too many words to it. Far too much has been said about it. Let me just say that this is a problem that, unfortunately, is affecting some 60,000 people right now, of whom 95 to 97 per cent are Kosovo Albanians. It is a result of the legacy of an absolutely dilapidated infrastructure that UNMIK inherited in 1999, and in order to simply have enough revenue for repairs, we have to insist on customers' paying their bills. That is

what we are doing, irrespective of ethnic background. Again, it is a purely technical issue, but we have to generate enough resources to keep the two power plants going.

I do regret that it has affected those people whose power supplies broke down — as a result of deficiencies, not of any policy — and I do regret that, for some people who are not prepared to pay their bills, it is has not been possible to reconnect. I have one single message for those people, including to the very few Kosovo Serbs among them: Pay, and you will have electricity this afternoon.

Let me say that I also welcome recent statements that the Serb Orthodox church now seems ready to re-engage so that we can get on with the urgent work of repairing and restoring the religious monuments. That is a top priority and I am very pleased that, as a result of many initiatives that we have also taken to engage those in the Serb Orthodox church who want to move forward — and there are many, a large majority — and also with the very important help of Belgrade, we have now found a solution, and I believe that we will be able to re-engage and start repairs very soon.

Finally, let me say that I will return to Kosovo determined to continue our close partnership with the Provisional Institutions of Self-Government and to support them in their determinati shortcomings in standards implem that they have a lot of hard work are committed to engaging in tha continue our daily efforts to reac Serbs and to bring them into the p continue the very important dia and with other States in the region

We have a clear agenda ahe clear timetable. We know what Provisional Institutions, as I say, work and a strong commitment t of the priority standards will get determined to succeed. We are d them, and I do look forward Council again three months fro then be able — and I believe I further progress, so that we can region forward towards the no standardization that they need.

The President (*spoke in F*
further speakers on my list. The thus concluded the present stage the item on its agenda.

The meeting rose at 1.05 p.m